

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

52ND LEGISLATIVE DAY

WEDNESDAY, MAY 18, 2005

12:00 O'CLOCK NOON

**HOUSE OF REPRESENTATIVES
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52nd Legislative Day**

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The House met pursuant to adjournment.

Representative Turner in the chair.

Prayer by Reverend Darrell Bendorf with the Harvard Bible Church in Chemung, Illinois.

Representative Krause led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

116 present. (ROLL CALL 1)

By unanimous consent, Representatives Currie, Feigenholtz, McKeon and Sommer were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Sommer, should be recorded as present at the hour of 1:00 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Currie, should be recorded as present at the hour of 2:50 o'clock p.m.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "approved for consideration" and be placed on the order of Second Reading: HOUSE BILL 3121.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 2, Nays; 0, Answering Present.

Y Currie, Barbara(D), Chairperson

Y Hannig, Gary(D)

Y Turner, Arthur(D)

N Black, William(R), Republican Spokesperson

N Hassert, Brent(R)

COMMITTEE ON RULES REFERRALS

Representative Currie, Chairperson of the Committee on Rules, reported the following legislative measures and/or joint action motions have been assigned as follows:

Appropriations-General Services: SENATE BILL 1548.

International Trade & Commerce: HOUSE AMENDMENT No. 1 to HOUSE BILL 4053.

Judiciary II - Criminal Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 1752.

Labor: HOUSE AMENDMENT No. 1 to HOUSE BILL 2133.

Mass Transit: HOUSE BILL 388; HOUSE AMENDMENT No. 2 to HOUSE BILL 1663.

Personnel and Pensions: HOUSE AMENDMENT No. 1 to HOUSE BILL 1812.

Revenue: HOUSE AMENDMENT No. 1 to HOUSE BILL 1731.

State Government Administration: HOUSE AMENDMENT No. 1 to HOUSE BILL 1813.

Mass Transit: HOUSE AMENDMENT No. 1 to HOUSE BILL 3121.

MOTIONS SUBMITTED

Representative Millner submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 132.

Representative Kosel submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 3048.

Representative Munson submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 1071.

Representative Black submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 551.

Representative Brady submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 1517.

Representative Scully submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 433.

Representative Gordon submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 909.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for SENATE BILLS 468, as amended, and 519, as amended.

REQUEST FOR FISCAL NOTE

Representative Black requested that a Fiscal Note be supplied for SENATE BILL 519, as amended.

Representative Saviano requested that a Fiscal Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Saviano requested that a State Mandates Fiscal Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR BALANCED BUDGET NOTE

Representative Saviano requested that a Balanced Budget Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR CORRECTIONAL NOTE

Representative Saviano requested that a Correctional Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR HOME RULE NOTE

Representative Saviano requested that a Home Rule Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE

Representative Saviano requested that a Housing Affordability Impact Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR JUDICIAL NOTE

Representative Saviano requested that a Judicial Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR PENSION NOTE

Representative Saviano requested that a Pension Note be supplied for SENATE BILL 92, as amended.

REQUEST FOR STATE DEBT IMPACT NOTE

Representative Saviano requested that a State Debt Impact Note be supplied for SENATE BILL 92, as amended.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 793

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 804

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 805

A bill for AN ACT concerning business.

HOUSE BILL NO. 808

A bill for AN ACT concerning civil liability.

HOUSE BILL NO. 815

A bill for AN ACT concerning education.

HOUSE BILL NO. 816

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 829

A bill for AN ACT concerning taxes.

HOUSE BILL NO. 834

A bill for AN ACT concerning public health, which may be referred to as Ally's Law.

HOUSE BILL NO. 872

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 884

A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 892
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 900
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 918
A bill for AN ACT concerning safety.
HOUSE BILL NO. 920
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 931
A bill for AN ACT concerning alternate fuels.
HOUSE BILL NO. 947
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 984
A bill for AN ACT concerning infants who are born alive.
HOUSE BILL NO. 1039
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1079
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 1095
A bill for AN ACT concerning juries.
HOUSE BILL NO. 1106
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1109
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1125
A bill for AN ACT concerning elections.
Passed by the Senate, May 18, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 1589
A bill for AN ACT in relation to State government.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 1589
Passed the Senate, as amended, May 18, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1589 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Human Voice Contact Act.

Section 5. Legislative findings. The General Assembly finds that:

- (1) the people of this State, from time to time, need contact with State agencies because of problems or concerns;
- (2) often when a person calls a State agency that person needs to talk to an individual, and it is not necessarily convenient or practical for that person to leave a message or to follow an automated menu;
- (3) the purpose of State agencies is to serve the people of this State in a manner that is as accessible, efficient, and responsive as possible;

(4) when a person calls a State agency and receives an automated operator or an automated menu instead of a live operator, often that person is not able to adequately receive assistance or services; and

(5) the number of people calling a State agency and not getting the assistance or services that they are entitled to because the State agency does not have a live operator answering incoming phone calls grows by the day.

Section 10. Definition. In this Act, "State agency" means the same as in Section 1-7 of the Illinois State Auditing Act.

Section 15. Automated telephone answering equipment. A State agency that uses automated telephone answering equipment to answer incoming telephone calls must, during the normal business hours of the agency, provide the caller with the option of speaking to a live operator. This Section does not apply to field offices, telephone lines dedicated as hot lines for emergency services, telephone lines dedicated to providing general information, and any system that is designed to permit an individual to conduct a complete transaction with the State agency over the telephone solely by pressing one or more touch tone telephone keys in response to automated prompts.

Section 99. Effective date. This Act takes effect January 1, 2007."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1589 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 960

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 1285

A bill for AN ACT concerning liquor.

HOUSE BILL NO. 1313

A bill for AN ACT concerning government.

HOUSE BILL NO. 1314

A bill for AN ACT concerning animals.

HOUSE BILL NO. 1321

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1323

A bill for AN ACT concerning local government.

HOUSE BILL NO. 1334

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 1336

A bill for AN ACT concerning education.

HOUSE BILL NO. 1384

A bill for AN ACT in relation to public employee benefits.

HOUSE BILL NO. 1471

A bill for AN ACT concerning driving offenses.

HOUSE BILL NO. 1541

A bill for AN ACT concerning education.

HOUSE BILL NO. 1548

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1570

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 1581

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1587

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1656

A bill for AN ACT concerning State government.
HOUSE BILL NO. 2242
A bill for AN ACT concerning State government.
HOUSE BILL NO. 2344
A bill for AN ACT concerning State government.
HOUSE BILL NO. 2386
A bill for AN ACT concerning criminal law.
Passed by the Senate, May 18, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 893
A bill for AN ACT concerning criminal law.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 893
Passed the Senate, as amended, May 18, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 893 by replacing everything after the enacting clause with the following:
"Section 5. The Code of Criminal Procedure of 1963 is amended by adding Section 115-10.6 as follows:
(725 ILCS 5/115-10.6 new)
Sec. 115-10.6. Admissibility of prior statements of a murdered, bribed, or intimidated witness.
(a) A statement of a witness is not excluded at the trial of any defendant by the hearsay rule or as a violation of any right to confront witnesses if the witness was murdered, bribed, or otherwise intimidated by the defendant, or one for whose conduct he or she is legally accountable, to prevent the witness from testifying or participating in any criminal investigation or prosecution against the defendant.
(b) A statement shall not be admitted under this exception unless:
(1) The State makes the statement known to the defendant sufficiently in advance of the trial or hearing to provide the defendant with a fair opportunity to meet it and the State has provided notice of intent to offer the statement and the particulars of the statement, including the name of the defendant.
(2) The court finds, in a hearing conducted outside the presence of the jury, that the State can prove by a preponderance of the evidence that the witness was murdered, bribed, or otherwise intimidated by the defendant, or one for whose conduct he or she is legally accountable, in order to prevent the witness from testifying."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 893 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 866
A bill for AN ACT concerning regulation.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 866
Passed the Senate, as amended, May 18, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 866 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.16 and by adding Section 4.26 as follows:

(5 ILCS 80/4.16)

Sec. 4.16. Acts repealed January 1, 2006. The following Acts are repealed January 1, 2006:

The Respiratory Care Practice Act.

The Hearing Instrument Consumer Protection Act.

The Illinois Dental Practice Act.

The Professional Geologist Licensing Act.

The Illinois Athletic Trainers Practice Act.

~~The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985.~~

The Collection Agency Act.

The Illinois Roofing Industry Licensing Act.

The Illinois Physical Therapy Act.

(Source: P.A. 89-33, eff. 1-1-96; 89-72, eff. 12-31-95; 89-80, eff. 6-30-95; 89-116, eff. 7-7-95; 89-366, eff. 7-1-96; 89-387, eff. 8-20-95; 89-626, eff. 8-9-96.)

(5 ILCS 80/4.26 new)

Sec. 4.26. Act repealed on January 1, 2016. The following Act is repealed on January 1, 2016:

The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985.

Section 10. The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 is amended by changing Sections 1-4, 1-7, 2-1, 2-7, 2A-7, 3-1, 3-2, 3-4, 3-6, 3-7, 3A-1, 3A-3, 3A-5, 3B-10, 3B-11, 3B-13, 3B-15, 3C-1, 3C-2, 3C-3, 3C-9, 3D-5, 4-1, and 4-2 as follows:

(225 ILCS 410/1-4) (from Ch. 111, par. 1701-4)

(Section scheduled to be repealed on January 1, 2006)

Sec. 1-4. Definitions. In this Act the following words shall have the following meanings:

"Board" means the Barber, Cosmetology, Esthetics, and Nail Technology Board.

"Department" means the Department of Professional Regulation.

"Director" means the Director of Professional Regulation.

~~"Committee" means the Barber, Cosmetology, Esthetics, and Nail Technology Committee.~~

"Licensed barber" means an individual licensed by the Department to practice barbering ~~and esthetics~~ as defined in this Act and whose license is in good standing.

"Licensed cosmetologist" means an individual licensed by the Department to practice cosmetology, nail technology, and esthetics as defined in this Act and whose license is in good standing.

"Licensed esthetician" means an individual licensed by the Department to practice esthetics as defined in this Act and whose license is in good standing.

"Licensed nail technician" means any individual licensed by the Department to practice nail technology as defined in this Act and whose license is in good standing.

"Licensed barber teacher" means an individual licensed by the Department to practice barbering ~~and esthetics~~ as defined in this Act and to provide instruction in the theory and practice of barbering ~~and esthetics~~ to students in an approved barber school ~~or esthetics school~~.

"Licensed cosmetology teacher" means an individual licensed by the Department to practice cosmetology, esthetics, and nail technology as defined in this Act and to provide instruction in the theory and practice of cosmetology, esthetics, and nail technology to students in an approved cosmetology, esthetics, or nail technology school.

"Licensed cosmetology clinic teacher" means an individual licensed by the Department to practice cosmetology, esthetics, and nail technology as defined in this Act and to provide clinical instruction in the practice of cosmetology, esthetics, and nail technology in an approved school of cosmetology, esthetics, or nail technology.

"Licensed esthetics teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide instruction in the theory and practice of esthetics to students in an approved cosmetology or esthetics school.

"Licensed esthetics clinic teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide clinical instruction in the practice of esthetics in an approved school of cosmetology or an approved school of esthetics.

"Licensed nail technology teacher" means an individual licensed by the Department to practice nail technology and to provide instruction in the theory and practice of nail technology to students in an approved nail technology school or cosmetology school.

"Licensed nail technology clinic teacher" means an individual licensed by the Department to practice nail technology as defined in this Act and to provide clinical instruction in the practice of nail technology in an approved school of cosmetology or an approved school of nail technology.

"Enrollment" is the date upon which the student signs an enrollment agreement or student contract.

"Enrollment agreement" or "student contract" is any agreement, instrument, or contract however named, which creates or evidences an obligation binding a student to purchase a course of instruction from a school.

"Enrollment time" means the maximum number of hours a student could have attended class, whether or not the student did in fact attend all those hours.

"Elapsed enrollment time" means the enrollment time elapsed between the actual starting date and the date of the student's last day of physical attendance in the school.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)

(225 ILCS 410/1-7) (from Ch. 111, par. 1701-7)

(Section scheduled to be repealed on January 1, 2006)

Sec. 1-7. Licensure required; renewal.

(a) It is unlawful for any person to practice, or to hold himself or herself out to be a cosmetologist, esthetician, nail technician, or barber without a license as a cosmetologist, esthetician, nail technician, or barber issued by the Department of Professional Regulation pursuant to the provisions of this Act and of the Civil Administrative Code of Illinois. It is also unlawful for any person, firm, partnership, or corporation to own, operate, or conduct a cosmetology, esthetics, nail technology, or barber school without a license issued by the Department or to own or operate a cosmetology, esthetics, or nail technology salon or barber shop without a certificate of registration issued by the Department. It is further unlawful for any person to teach in any cosmetology, esthetics, nail technology, or barber college or school approved by the Department or hold himself or herself out as a cosmetology, esthetics, nail technology, or barber teacher without a license as a teacher, issued by the Department or as a cosmetology, esthetics, or nail technology clinic teacher without a license as a clinic teacher issued by the Department.

(b) Notwithstanding any other provision of this Act, a person licensed as a cosmetologist ~~or barber~~ may hold himself or herself out as an esthetician and may engage in the practice of esthetics, as defined in this Act, without being licensed as an esthetician. A person licensed as a cosmetology teacher ~~or barber teacher~~ may teach esthetics or hold himself or herself out as an esthetics teacher without being licensed as an esthetics teacher. A person licensed as a cosmetologist may hold himself or herself out as a nail technician and may engage in the practice of nail technology, as defined in this Act, without being licensed as a nail technician. A person licensed as a cosmetology teacher may teach nail technology and hold himself or herself out as a nail technology teacher without being licensed as a nail technology teacher.

(c) A person licensed as a barber teacher may hold himself or herself out as a barber and may practice barbering without a license as a barber. A person licensed as a cosmetology teacher may hold himself or herself out as a cosmetologist, esthetician, and nail technologist and may practice cosmetology, esthetics, and nail technology without a license as a cosmetologist, esthetician, or nail technologist. A person licensed as an esthetics teacher may hold himself or herself out as an esthetician without being licensed as an esthetician and may practice esthetics. A person licensed as a nail technician teacher may practice nail technology and may hold himself or herself out as a nail technologist without being licensed as a nail technologist.

(d) The holder of a license issued under this Act may renew that license during the month preceding the expiration date of the license by paying the required fee.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)

(225 ILCS 410/2-1) (from Ch. 111, par. 1702-1)

(Section scheduled to be repealed on January 1, 2006)

Sec. 2-1. Barbering defined. Any one or any combination of the following practices constitutes the practice of barbering:

To shave or trim the beard or cut the hair; to style, arrange, dress, curl, wave, straighten, clean, singe, epilate, depilate, shampoo, marcel, chemically restructure, bleach, tint, color or similarly work upon the

hair or cranial prosthesis of any person; to give relaxing facial or scalp massage or treatments with oils, creams or other preparations either by hand or by mechanical appliances. Nothing in this Act shall be construed to prohibit the shampooing of hair by persons employed for that purpose and who perform such task under the direct supervision of a licensed barber.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 410/2-7) (from Ch. 111, par. 1702-7)

(Section scheduled to be repealed on January 1, 2006)

Sec. 2-7. Examination of applicants. The Department shall hold examinations of applicants for licensure as barbers and teachers of barbering at such times and places as it may determine. Upon request, the examinations shall be administered in Spanish.

Each applicant shall be given a written examination testing both theoretical and practical knowledge of the following subjects insofar as they are related and applicable to the practice of barber science and art: (1) anatomy, (2) physiology, (3) skin diseases, (4) hygiene and sanitation, (5) barber history, (6) barber law, (7) hair cutting and styling, (8) shaving, shampooing, and permanent waving, (9) massaging, (10) bleaching, tinting, and coloring, and (11) implements.

The examination of applicants for licensure registration as a barber teacher shall include: (a) practice of barbering and styling, (b) theory of barbering, (c) methods of teaching, and (d) school management.

This Act does not prohibit the practice as a barber or barber teacher by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license and has complied with all the provisions of this Act in order to qualify for a license except the passing of an examination, until: (a) the expiration of 6 months after the filing of such written application, or (b) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (c) the withdrawal of the application.

(Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97.)

(225 ILCS 410/2A-7)

(Section scheduled to be repealed on January 1, 2006)

Sec. 2A-7. Requirements for licensure as barber school. No ~~A~~ person, firm, or corporation may ~~not~~ own, operate or conduct a school or college of barbering for the purpose of teaching barbering for compensation without filing an application with the Department on forms provided by the Department, paying the required fees, and complying with the following requirements:

1. The applicant must submit to the Department for approval:
 - a. A floor plan, drawn to a scale specified on the floor plan, showing every detail of the proposed school; and
 - b. A lease commitment or proof of ownership for the location of the proposed school; a lease commitment must provide for execution of the lease upon the Department's approval of the school's application and the lease must be for a period of at least one year; ~~and~~
 - c. (Blank). A written inspection report made by the State Fire Marshal approving the use of the proposed premises as a barbering school.
2. An application to own or operate a school shall include the following:
 - a. If the owner is a corporation, a copy of the Articles of Incorporation;
 - b. If the owner is a partnership, a listing of all partners and their current addresses;
 - c. If the applicant is an owner, a completed financial statement showing the owner's ability to operate the school for at least 3 months;
 - d. A copy of the official enrollment agreement or student contract to be used by the school, which shall be consistent with the requirements of this Act;
 - e. A listing of all teachers who will be in the school's employ, including their teacher license numbers;
 - f. A copy of the curricula that will be followed;
 - g. The names, addresses, and current status of all schools in which the applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing or lost accreditation or licensing from any governmental body or accrediting agency;
 - h. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee and also by its individual owner or owners; if the applicant is a partnership or a corporation, then the application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be;

i. A copy of the school's official transcript; and
j. The required fee. The applicant must submit a certified financial statement prepared by a licensed public accountant who is not an employee of the school, indicating sufficient finances to guarantee operation for one full year.

3. Each application for a license to operate a school shall also contain the following commitments:

a. To conduct the school in accordance with this Act and the standards and rules from time to time adopted under this Act and to meet standards and requirements at least as stringent as those required by Part H of the federal Higher Education Act of 1965.

b. To permit the Department to inspect the school or classes thereof from time to time with or without notice; and to make available to the Department, at any time when required to do so, information including financial information pertaining to the activities of the school required for the administration of this Act and the standards and rules adopted under this Act;

c. To utilize only advertising and solicitation that is free from misrepresentation, deception, fraud, or other misleading or unfair trade practices;

d. To screen applicants to the school prior to enrollment pursuant to the requirements of the school's regional or national accrediting agency, if any, and to maintain any and all records of such screening; if the course of instruction is offered in a language other than English, the screening shall also be performed in that language;

e. To post in a conspicuous place a statement, developed by the Department, of student's rights provided under this Act. The proposed barber school or college shall have a minimum of one theory or demonstration room, one workroom, and 2 toilet facilities.

The minimum equipment in the workroom shall be 20 barber chairs, one cabinet and one wet sterilizer for each barber chair, four shampoo basins complete with shampoo spray, one electric vibrator for each 10 barber chairs, and one scalp treatment high frequency electricity apparatus for each 10 barber chairs.

The municipality in which the proposed new barber school is to be located shall be large enough to support the proposed barber school to the degree that the students who might be enrolled in the proposed barber school would be assured of sufficient practice to enable them to become competent workers.

It shall be a requirement for maintaining and renewing a barber school license that the school or college of barbering actually provide instruction and teaching, as well as maintain the equipment required by this Section. If a barber school ceases operation for any reason, the Department shall place the school's license on inoperative status, without hearing, for a period of up to one year from the date that the school ceases operation. A barber school license on inoperative status may be restored by the Department upon resumption of operation in accordance with the requirements of this Act. A license on inoperative status may not be renewed.

A barber school license that remains on inoperative status for a period of one year shall automatically, without hearing, be cancelled. A cancelled license may not be renewed or restored. A person, firm, or corporation whose license has been cancelled and who wishes to own, operate, or conduct a school or college of barbering for the purpose of teaching barbering for compensation must apply for a new license.

4. The applicant shall establish to the satisfaction of the Department that the owner possesses sufficient liquid assets to meet the prospective expenses of the school for a period of 3 months. In the discretion of the Department, additional proof of financial ability may be required. The proposed barber school or college shall have a curriculum that includes each of the following subjects: the preparation and care of barber implements, the art of haircutting, styling, shaving, beard trimming and shampooing, facial and scalp massaging and treatments either by hand or mechanical appliances, hair tinting, coloring, and bleaching, permanent waving, barber anatomy, physiology, bacteriology, sanitation, barber history, Illinois barber law, electricity and light rays, and a course dealing with the common diseases of the skin and methods to avoid the aggravation and spreading thereof in the practice of barbering.

In a 1500 hour barber course all students shall receive a minimum of 150 hours of lectures, demonstrations, or discussions. The remaining 1350 hours shall be devoted to practical application of the student's skill in the workroom, or to additional theory or other classwork, at the discretion of the instructor.

5. The applicant shall comply with all rules of the Department determining the necessary curriculum and equipment required for the conduct of the school. The school shall comply with all rules of the Department establishing the necessary curriculum and equipment required for the conduct of such school.

6. The applicant must demonstrate employment of a sufficient number of qualified teachers who are holders of a current license issued by the Department. The school shall employ a sufficient number of qualified teachers of barbering who are holders of a current license issued by the Department, which staff is adequate only if the ratio of students to teachers does not exceed 25 students for each barber teacher.

7. A final inspection of the barber school shall be made by the Department before the school may commence classes. ~~A final inspection of the barber school shall be made by the Department before the school may commence classes. The inspection shall include a determination of whether:~~

- ~~a. All of the requirements of paragraph 1 of this Section have been met.~~
- ~~b. The school is in compliance with all rules of the Department established for the purpose of determining the necessary curriculum and equipment required for the school.~~
- ~~c. A sufficient number of qualified teachers of barbering who are holders of current licenses issued by the Department are employed.~~

8. A written inspection report must be made by a local fire authority or the State Fire Marshal approving the use of the proposed premises as a barber school.

~~Upon meeting all of the above requirements, the Department may issue a license and the school may commence classes.~~

~~No barber school may cease operation without first delivering its student records to a place of safekeeping in accordance with Department rule.~~

(Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97; 90-580, eff. 5-21-98.)

(225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3-1. Cosmetology defined. Any one or any combination of the following practices constitutes the practice of cosmetology when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder: arranging, braiding, dressing, cutting, trimming, curling, waving, chemical restructuring, shaping, singeing, bleaching, coloring or similar work, upon the hair of the head or any cranial prosthesis; cutting or trimming facial hair of any person; any practice of manicuring, pedicuring, decorating nails, applying sculptured nails or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances, or in any way caring for the nails or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees of another person for other than the treatment of medical disorders; any practice of epilation or depilation of any person; any practice for the purpose of cleansing, massaging or toning the skin of the scalp; beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis, ~~or stimulating the skin of the human body~~ by the use of cosmetic preparations, ~~antiseptics~~, body treatments, body wraps, the use of hydrotherapy, ~~tonics, lotions or creams~~ or any device, electrical, mechanical, or otherwise, ~~for the care of the skin~~; applying make-up or eyelashes to any person or, ~~tinting eyelashes and eyebrows and~~ lightening hair on the body and removing superfluous hair from the body of any person by the use of depilatories, waxing or tweezers. The term "cosmetology" does not include the services provided by an electrologist. Nail technology is the practice and the study of cosmetology only to the extent of manicuring, pedicuring, decorating, and applying sculptured or otherwise artificial nails, or in any way caring for the nail or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees. Cosmetologists are prohibited from using any technique, product, or practice intended to affect the living layers of the skin ~~performing any procedure that may puncture or abrade the skin below the stratum corneum of the epidermis or remove closed milia (whiteheads) which may draw blood or serous body fluid.~~ The term cosmetology includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin. Purveyors of cosmetics may demonstrate such cosmetic products in conjunction with any sales promotion and shall not be required to hold a license under this Act. Nothing in this Act shall be construed to prohibit the shampooing of hair by persons employed for that purpose and who perform that task under the direct supervision of a licensed cosmetologist or licensed cosmetology teacher.

(Source: P.A. 91-863, eff. 7-1-00.)

(225 ILCS 410/3-2) (from Ch. 111, par. 1703-2)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3-2. Licensure; qualifications.

(1) A person is qualified to receive a license as a cosmetologist who has filed an application on forms provided by the Department, pays the required fees, and:

- a. Is at least 16 years of age; and
- b. Is beyond the age of compulsory school attendance or has received a certificate of graduation from a school providing secondary education ~~Has graduated from an eighth grade elementary school, or the recognized its equivalent of that certificate;~~ and
- c. Has graduated from a school of cosmetology approved by the Department, having completed a program of 1500 hours in the study of cosmetology extending over a period of not less than

8 months nor more than 7 consecutive years. A school of cosmetology may, at its discretion, consistent with the rules of the Department, accept up to 500 hours of barber school training at a recognized barber school toward the 1500 hour program requirement of cosmetology. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and

d. Has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive a license as a cosmetologist. ~~The requirements for remedial training set forth in Section 3-6 of this Act may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to again sit for the examination. The Department shall promulgate rules establishing the standards by which such determination shall be made; and~~

e. Has met any other requirements of this Act.

(2) ~~(Blank). If the applicant applies for a license as a cosmetologist on September 1, 2000 or September 2, 2000, the Department may accept a verified 10 years of cosmetology experience, which may include esthetics or nail technology experience, before July 1, 2000 in lieu of the requirements in items c and d of subsection (1) of this Section.~~

(Source: P.A. 93-253, eff. 7-22-03.)

(225 ILCS 410/3-4) (from Ch. 111, par. 1703-4)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3-4. Licensure as cosmetology teacher or cosmetology clinic teacher; qualifications.

(a) A person is qualified to receive license as a cosmetology teacher if that person has applied in writing on forms provided by the Department, has paid the required fees, and:

(1) is at least 18 years of age;

(2) has graduated from high school or its equivalent;

(3) has a current license as a cosmetologist;

(4) has either: (i) completed a program of 500 hours of teacher training in a licensed school of cosmetology and had 2 years of practical experience as a licensed cosmetologist within 5 years preceding the examination; or (ii) completed a program of 1,000 hours of teacher training in a licensed school of cosmetology;

(5) has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive a

license as a cosmetology teacher; and

(6) has met any other requirements of this Act.

~~A cosmetology teacher who teaches esthetics, in order to be licensed, shall demonstrate, to the satisfaction of the Department, current skills in the use of machines used in the practice of esthetics.~~

An individual who receives a license as a cosmetology teacher shall not be required to maintain an active cosmetology license in order to practice cosmetology as defined in this Act.

(b) A person is qualified to receive a license as a cosmetology clinic teacher if he or she has applied in writing on forms provided by the Department, has paid the required fees, and:

(1) is at least 18 years of age;

(2) has graduated from high school or its equivalent;

(3) has a current license as a cosmetologist;

(4) has (i) completed a program of 250 hours of clinic teacher training in a licensed school of cosmetology or (ii) within 5 years preceding the examination, and has obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed cosmetologist and has completed an instructor's institute of 20 hours, as prescribed by the Department, prior to submitting an application for examination within 5 years preceding the examination;

(5) has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive a

license as a cosmetology teacher; and

(6) has met any other requirements of this Act.

The Department shall not issue any new cosmetology clinic teacher licenses after January 1, 2009. Any person issued a license as a cosmetology clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(Source: P.A. 90-302, eff. 8-1-97; 91-357, eff. 7-29-99; 91-863, eff. 7-1-00.)

(225 ILCS 410/3-6) (from Ch. 111, par. 1703-6)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3-6. Examination. The Department shall authorize examinations of applicants for licensure as cosmetologists and teachers of cosmetology at the times and places it may determine. If an applicant for licensure as a cosmetologist fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 250 hours of additional study of cosmetology in an approved school of cosmetology since the applicant last took the examination. If an applicant for licensure as a cosmetology teacher fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 80 hours of additional study in teaching methodology and educational psychology in an approved school of cosmetology since the applicant last took the examination. An applicant who fails to pass the fourth examination shall not again be admitted to an examination unless: (i) in the case of an applicant for licensure as a cosmetologist, the applicant again takes and completes a program of 1500 hours in the study of cosmetology in an approved school of cosmetology extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 8 months nor more than 7 consecutive years in duration; (ii) in the case of an applicant for licensure as a cosmetology teacher, the applicant again takes and completes a program of 1000 hours of teacher training in an approved school of cosmetology, except that if the applicant had 2 years of practical experience as a licensed cosmetologist within the 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in an approved school of cosmetology, esthetics, or nail technology; or (iii) in the case of an applicant for licensure as a cosmetology clinic teacher, the applicant again takes and completes a program of 250 hours of clinic teacher training in a licensed school of cosmetology or an instructor's institute of 20 hours. The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to again sit for the examination. The Department shall adopt rules establishing the standards by which this determination shall be made. Each cosmetology applicant shall be given a written examination testing both theoretical and practical knowledge, which shall include, but not be limited to, questions that determine the applicant's knowledge of product chemistry, sanitary rules, sanitary procedures, chemical service procedures, hazardous chemicals and exposure minimization, knowledge of the anatomy of the skin, scalp, ~~and~~ hair and nails as they relate to applicable services under this Act and labor and compensation laws.

The examination of applicants for licensure as a cosmetology, esthetics, or nail technology teacher may include all of the elements of the exam for licensure as a cosmetologist, esthetician, or nail technician and also include teaching methodology, classroom management, record keeping, and any other related subjects that the Department in its discretion may deem necessary to insure competent performance.

This Act does not prohibit the practice of cosmetology by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a cosmetologist, or the teaching of cosmetology by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a cosmetology teacher or cosmetology clinic teacher, if the person has complied with all the provisions of this Act in order to qualify for a license, except the passing of an examination to be eligible to receive a license, until: (a) the expiration of 6 months after the filing of the written application, (b) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (c) the withdrawal of the application.

~~A person who took the September 10, 1994 cosmetology licensure examination for the sixth time and failed the examination and failed to request a reader based upon a documented learning disability may reapply for the examination within 6 months of the effective date of this amendatory Act of the 91st General Assembly without having to complete the additional 1,500 hours of instruction required under this Act.~~

(Source: P.A. 90-302, eff. 8-1-97; 91-863, eff. 7-1-00.)

(225 ILCS 410/3-7) (from Ch. 111, par. 1703-7)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3-7. Licensure; renewal; continuing education; military service. The holder of a license issued under this Article III may renew that license during the month preceding the expiration date thereof by paying the required fee, giving such evidence as the Department may prescribe of completing not less than 14 hours of continuing education for a cosmetologist, and 24 hours of continuing education for a cosmetology teacher

or cosmetology clinic teacher, within the 2 years prior to renewal. The training shall be in subjects approved by the Department as prescribed by rule upon recommendation of the Committee.

A license that has been expired for more than 5 years may be restored by payment of the restoration fee and submitting evidence satisfactory to the Department of the current qualifications and fitness of the licensee, which shall include completion of continuing education hours for the period subsequent to expiration.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by registrants, by requiring the filing of continuing education certificates with the Department, or by other means established by the Department. ~~The Department may select a qualified organization that has no direct business relationship with a licensee, licensed entity or a subsidiary of a licensed entity under this Act to maintain and verify records relating to continuing education.~~

A license issued under the provisions of this Act that has expired while the holder of the license was engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may be reinstated or restored without the payment of any lapsed renewal fees, reinstatement fee, or restoration fee if within 2 years after the termination of such service, training, or education other than by dishonorable discharge, the holder furnishes the Department with an affidavit to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

The Department, in its discretion, may waive enforcement of the continuing education requirement in this Section and shall adopt rules defining the standards and criteria for that waiver under the following circumstances:

- (a) the licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide service to the public;
- (b) that to comply with the continuing education requirements would cause a substantial financial hardship on the licensee;
- (c) that the licensee is serving in the United States Armed Forces; or
- (d) that the licensee is incapacitated due to illness.

The continuing education requirements of this Section do not apply to a licensee who (i) is at least 62 years of age ~~before January 1, 1999~~ or (ii) has been licensed as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher for at least 25 years ~~and does not regularly work as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher for more than 14 hours per week.~~

(Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97; 90-302, eff. 8-1-97; 90-602, eff. 1-1-99.)

(225 ILCS 410/3A-1) (from Ch. 111, par. 1703A-1)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3A-1. Esthetics ~~and esthetician~~ defined.

(A) ~~Any one or combination of person who for compensation, whether direct or indirect, including tips, engages in the following practices, when done for cosmetic or beautifying purposes and not for the treatment of disease or of a muscular or nervous disorder, constitutes~~ engages in the practice of esthetics:

1. ~~Beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis or stimulating the skin of the human body, except the scalp,~~

by the use of cosmetic preparations, body treatments, body wraps, ~~the use of~~ hydrotherapy, ~~antiseptics, tonics, lotions or creams~~ or any device, electrical, mechanical, or otherwise, for the care of the skin;

2. Applying make-up or eyelashes to any person or, ~~tinting eyelashes and eyebrows and~~ lightening hair on the body except the scalp; and

3. Removing superfluous hair from the body of any person ~~by the use of depilatories, waxing or tweezers.~~

However, esthetics does not include the services provided by a cosmetologist or electrologist. Estheticians are prohibited from using techniques, products, and practices intended to affect the living layers of the skin performing any procedure which may puncture or abrade the skin below the stratum corneum of the epidermis or remove closed milia (whiteheads) which may draw blood or serous body fluid. The term esthetics includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin.

(B) "Esthetician" means any person who, with hands or mechanical or electrical apparatus or appliances, engages only in the use of cosmetic preparations, body treatments, body wraps, hydrotherapy, makeups, antiseptics, tonics, lotions, creams or other preparations or in the practice of massaging, cleansing, exfoliating the stratum corneum of the epidermis, stimulating, manipulating, beautifying, grooming or similar work on the face, neck, arms and hands or body in a superficial mode, and not for the treatment of medical disorders.

(Source: P.A. 91-863, eff. 7-1-00.)

(225 ILCS 410/3A-3) (from Ch. 111, par. 1703A-3)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3A-3. Licensure as an esthetics teacher; qualifications.

(a) A person is qualified to receive a license as an esthetics teacher if that person has applied in writing on forms supplied by the Department, paid the required fees, and:

- (1) is at least 18 years of age;
- (2) has graduated from high school or its equivalent;
- (3) has a current license as a licensed cosmetologist or esthetician;
- (4) has either: (i) completed a program of 500 hours of teacher training in a licensed school of cosmetology or a licensed esthetics school and had 2 years of practical experience as a licensed cosmetologist or esthetician within 5 years preceding the examination; or (ii) completed a program of 750 hours of teacher training in a licensed school of cosmetology approved by the Department to teach esthetics or a licensed esthetics school;

(5) has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive

a license as a licensed cosmetology or esthetics teacher;

(6) ~~(blank); and demonstrates, to the satisfaction of the Department, current skills in the use of machines used in the practice of esthetics; and~~

(7) has met any other requirements as required by this Act.

(b) A person is qualified to receive a license as an esthetics clinic teacher if that person has applied in writing on forms supplied by the Department, paid the required fees, and:

- (1) is at least 18 years of age;
- (2) has graduated from high school or its equivalent;
- (3) has a current license as a licensed cosmetologist or esthetician;
- (4) has (i) completed a program of 250 hours of clinic teacher training in a licensed school of cosmetology approved by the Department to teach esthetics or a licensed esthetics school or (ii) within 5 years preceding the examination, has obtained a minimum of and had 2 years of practical experience working at least 30 full-time hours per week as a licensed cosmetologist or esthetician and has completed an instructor's institute of 20 hours, as prescribed by the Department, prior to submitting an application for examination within 5 years preceding the examination;

(5) has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive

a license as a licensed cosmetology teacher or licensed esthetics teacher;

(6) ~~(blank); demonstrates, to the satisfaction of the Department, current skills in the use of machines used in the practice of esthetics; and~~

(7) has met any other requirements required by this Act.

The Department shall not issue any new esthetics clinic teacher licenses after January 1, 2009. Any person issued a license as an esthetics clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(c) An applicant who is issued a license as an esthetics teacher or esthetics clinic teacher is not required to maintain an esthetics license in order to practice as an esthetician as defined in this Act.

(Source: P.A. 90-302, eff. 8-1-97; 91-863, eff. 7-1-00.)

(225 ILCS 410/3A-5) (from Ch. 111, par. 1703A-5)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3A-5. Examination.

(a) The Department shall authorize examinations of applicants for a license as an esthetician or teacher

of esthetics at such times and places as it may determine. The Department shall authorize no fewer than 4 examinations for a license as an esthetician or a teacher of esthetics in a calendar year.

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing his or her application, the application shall be denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee, if he or she meets the requirements in effect at the time of reapplication. If an applicant for licensure as an esthetician is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 125 hours of additional study of esthetics in an approved school of cosmetology or esthetics since the applicant last took the examination. If an applicant for licensure as an esthetics teacher or esthetics clinic teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed school of cosmetology or esthetics since the applicant last took the examination. An applicant who fails to pass a fourth examination shall not again be admitted to an examination unless (i) in the case of an applicant for licensure as an esthetician, the applicant shall again take and complete a program of 750 hours in the study of esthetics in a licensed school of cosmetology approved to teach esthetics or a school of esthetics, extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 18 weeks nor more than 4 consecutive years in duration; (ii) in the case of an applicant for a license as an esthetics teacher, the applicant shall again take and complete a program of 750 hours of teacher training in a school of cosmetology approved to teach esthetics or a school of esthetics, except that if the applicant had 2 years of practical experience as a licensed cosmetologist or esthetician within 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in licensed cosmetology or a licensed esthetics school; or (iii) in the case of an applicant for a license as an esthetics clinic teacher, the applicant shall again take and complete a program of 250 hours of clinic teacher training in a licensed school of cosmetology or a licensed school of esthetics.

(b) Each applicant shall be given a written examination testing both theoretical and practical knowledge which shall include, but not be limited to, questions that determine the applicant's knowledge, as provided by rule, of:

- ~~(1) product chemistry;~~
- ~~(2) sanitary rules and regulations;~~
- ~~(3) sanitary procedures;~~
- ~~(4) chemical service procedures;~~
- ~~(5) knowledge of the anatomy of the skin, as it relates to applicable services under this Act;~~
- ~~(6) the provisions and requirements of this Act; and~~
- ~~(7) labor and compensation laws.~~

(c) The examination of applicants for licensure as an esthetics teacher ~~may include all of the above and~~ may also include:

- (1) teaching methodology;
- (2) classroom management; and
- (3) record keeping and any other subjects that the Department may deem necessary to insure competent performance.

(d) This Act does not prohibit the practice of esthetics by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an esthetician, an esthetics teacher, or an esthetics clinic teacher and has complied with all the provisions of this Act in order to qualify for a license, except the passing of an examination to be eligible to receive such license certificate, until: (i) the expiration of 6 months after the filing of such written application, or (ii) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (iii) the withdrawal of the application.

(Source: P.A. 90-302, eff. 8-1-97; 91-357, eff. 7-29-99; 91-863, eff. 7-1-00.)

(225 ILCS 410/3B-10)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3B-10. Requisites for ownership or operation of school. No person, firm, or corporation may own, operate, or conduct a school of cosmetology, esthetics, or nail technology for the purpose of teaching

cosmetology, esthetics, or nail technology for compensation without applying on forms provided by the Department, paying the required fees, and complying with the following requirements:

1. The applicant must submit to the Department for approval:
 - a. A floor plan, drawn to a scale specified on the floor plan, showing every detail of the proposed school; and
 - b. A lease commitment or proof of ownership for the location of the proposed school; a lease commitment must provide for execution of the lease upon the Department's approval of the school's application and the lease must be for a period of at least one year; ~~and~~
 - c. ~~(Blank). A written inspection report made by the State Fire Marshal approving the use of the proposed premises as a cosmetology, esthetics, or nail technology school.~~
2. An application to own or operate a school shall include the following:
 - a. If the owner is a corporation, a copy of the Articles of Incorporation;
 - b. If the owner is a partnership, a listing of all partners and their current addresses;
 - c. If the applicant is an owner, a completed financial statement showing the owner's ability to operate the school for at least 3 months;
 - d. A copy of the official enrollment agreement or student contract to be used by the school, which shall be consistent with the requirements of this Act;
 - e. A listing of all teachers who will be in the school's employ, including their teacher license numbers;
 - f. A copy of the curricula that will be followed;
 - g. The names, addresses, and current status of all schools in which the applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing or lost accreditation or licensing from any governmental body or accrediting agency;
 - h. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee and also by its individual owner or owners; if the applicant is a partnership or a corporation, then the application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be;
 - i. A copy of the school's official transcript; and
 - j. The required fee.
3. Each application for a license to operate a school shall also contain the following commitments:
 - a. To conduct the school in accordance with this Act and the standards, and rules from time to time adopted under this Act and to meet standards and requirements at least as stringent as those required by Part H of the Federal Higher Education Act of 1965.
 - b. To permit the Department to inspect the school or classes thereof from time to time with or without notice; and to make available to the Department, at any time when required to do so, information including financial information pertaining to the activities of the school required for the administration of this Act and the standards and rules adopted under this Act;
 - c. To utilize only advertising and solicitation which is free from misrepresentation, deception, fraud, or other misleading or unfair trade practices;
 - d. To screen applicants to the school prior to enrollment pursuant to the requirements of the school's regional or national accrediting agency, if any, and to maintain any and all records of such screening. If the course of instruction is offered in a language other than English, the screening shall also be performed in that language;
 - e. To post in a conspicuous place a statement, developed by the Department, of student's rights provided under this Act.
4. The applicant shall establish to the satisfaction of the Department that the owner possesses sufficient liquid assets to meet the prospective expenses of the school for a period of 3 months. In the discretion of the Department, additional proof of financial ability may be required.
5. The applicant shall comply with all rules of the Department determining the necessary curriculum and equipment required for the conduct of the school.
6. The applicant must demonstrate employment of a sufficient number of qualified teachers who are holders of a current license issued by the Department.
7. A final inspection of the cosmetology, esthetics, or nail technology school shall be made by the

Department before

the school may commence classes.

8. A written inspection report must be made by the State Fire Marshal or a local fire authority approving the use of the proposed premises as a cosmetology, esthetics, or nail technology school.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 410/3B-11)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3B-11. Periodic review of cosmetology, esthetics and nail technology schools. The Department shall review at least biennially all approved schools and courses of instruction. The biennial review shall include consideration of a comparison between the graduation or completion rate for the school and the graduation or completion rate for the schools within that classification of schools. Consideration shall be given to complaints and information forwarded to the Department by the Federal Trade Commission, Better Business Bureaus, the Illinois Attorney General's Office, a State's Attorney's Office, other State or official approval agencies, local school officials, and interested persons. The Department shall investigate all ~~written~~ complaints filed with the Department about a school or its sales representatives.

A school shall retain the records, as defined by rule, of a student who withdraws from or drops out of the school, by written notice of cancellation or otherwise, for any period longer than 7 years from the student's first day of attendance. However, a school shall retain indefinitely the transcript of each student who completes the program and graduates from the school.

(Source: P.A. 89-387, eff. 1-1-96; 89-626, eff. 8-9-96.)

(225 ILCS 410/3B-13)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3B-13. Rules; refunds. Schools regulated under this Section shall issue refunds based on the following schedule. The refund policy shall provide that:

(1) Schools shall, when a student gives written notice of cancellation, provide a refund in the amount of at least the following:

(a) When notice of cancellation is given within 5 days after the date of enrollment, all application and registration fees, tuition, and any other charges shall be refunded to the student.

(b) When notice of cancellation is given after the fifth day following enrollment but before the completion of the student's first day of class attendance, the school may retain no more than the application and registration fee, plus the cost of any books or materials which have been provided by the school and retained by the student.

(c) When notice of cancellation is given after the student's completion of the first day of class attendance but prior to the student's completion of 5% of the course of instruction, the school may retain the application and registration fee and an amount not to exceed 10% of the tuition and other instructional charges or \$300, whichever is less, plus the cost of any books or materials which have been provided by the school.

(d) When a student has completed 5% or more of the course of instruction, the school may retain the application and registration fee and the cost of any books or materials which have been provided by the school but shall refund a part of the tuition and other instructional charges in accordance with the National Accrediting Commission of Cosmetology Arts and Sciences and rules that the Department shall promulgate for purposes of this Section.

(2) Applicants not accepted by the school shall receive a refund of all tuition and fees paid.

(3) Application and registration fees shall be chargeable at initial enrollment and shall not exceed \$100.

(4) Deposits or down payments shall become part of the tuition.

(5) The school shall mail a written acknowledgement of a student's cancellation or written withdrawal to the student within 15 calendar days of the date of notification. Written acknowledgement is not necessary if a refund has been mailed to the student within the 15 calendar days.

(6) If the school cancels or discontinues a course, the student shall be entitled to receive from the school such refund or partial refund of the tuition, fees, and other charges paid by the student or on behalf of the student as is provided under rules promulgated by the Department.

(7) Except as otherwise provided by this Act, all student refunds shall be made by the school within 30 calendar days from the date of notice of the student's cancellation.

(8) A student shall give notice of cancellation to the school in writing. The unexplained absence of a student from a school for more than ~~30~~ 15 consecutive calendar days shall constitute constructive notice of cancellation to the school. For purposes of cancellation, the cancellation date shall be the last day of attendance.

(9) A school may make refunds which exceed those required by this Section.

(10) Each student and former student shall be entitled to receive from the school that the student attends or attended an official transcript of all hours completed by the student at that school for which the applicable tuition, fees, and other charges have been paid, together with the grades earned by the student for those hours, provided that a student who withdraws from or drops out of a school, by written notice of cancellation or otherwise, shall not be entitled to any transcript of completed hours following the expiration of the 7-year period that began on the student's first day of attendance at the school. A reasonable fee, not exceeding \$2, may be charged by the school for each transcript after the first free transcript that the school is required to provide to a student or former student under this Section.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 410/3B-15)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3B-15. Grounds for disciplinary action. In addition to any other cause herein set forth the Department may refuse to issue or renew and may suspend, place on probation, or revoke any license to operate a school, or take any other action that the Department may deem proper, including the imposition of ~~fin~~es ~~civil penalties~~ not to exceed \$5,000 ~~\$1,000~~ for each violation, for any one or any combination of the following causes:

(1) Repeated violation of any provision of this Act or any standard or rule established under this Act.

(2) Knowingly furnishing false, misleading, or incomplete information to the Department or failure to furnish information requested by the Department.

(3) Violation of any commitment made in an application for a license, including failure to maintain standards that are the same as, or substantially equivalent to, those represented in the school's applications and advertising.

(4) Presenting to prospective students information relating to the school, or to employment opportunities or opportunities for enrollment in institutions of higher learning after entering into or completing courses offered by the school, that is false, misleading, or fraudulent.

(5) Failure to provide premises or equipment or to maintain them in a safe and sanitary condition as required by law.

(6) Failure to maintain financial resources adequate for the satisfactory conduct of the courses of instruction offered or to retain a sufficient and qualified instructional and administrative staff.

(7) Refusal to admit applicants on account of race, color, creed, sex, physical or mental handicap unrelated to ability, religion, or national origin.

(8) Paying a commission or valuable consideration to any person for acts or services performed in violation of this Act.

(9) Attempting to confer a fraudulent degree, diploma, or certificate upon a student.

(10) Failure to correct any deficiency or act of noncompliance under this Act or the standards and rules established under this Act within reasonable time limits set by the Department.

(11) Conduct of business or instructional services other than at locations approved by the Department.

(12) Failure to make all of the disclosures or making inaccurate disclosures to the Department or in the enrollment agreement as required under this Act.

(13) Failure to make appropriate refunds as required by this Act.

(14) Denial, loss, or withdrawal of accreditation by any accrediting agency.

(15) During any calendar year, having a failure rate of 25% or greater for those of its students who for the first time take the examination authorized by the Department to determine fitness to receive a license as a cosmetologist, cosmetology teacher, esthetician, esthetician teacher, nail technician, or nail technology teacher, provided that a student who transfers into the school having completed 50% or more of the required program ~~with 750 or more hours for cosmetologists, 375 or more hours for estheticians, 175 or more hours for nail technician, 500 or more hours for teachers or 125 or more hours for clinic teachers~~ and who takes the examination during that calendar year shall not be counted for purposes of determining the school's failure rate on an examination, without regard to whether that transfer student passes or fails the examination.

(16) Failure to maintain a written record indicating the funds received per student and funds paid out per student. Such records shall be maintained for a minimum of 7 years and shall be made available to the Department upon request. Such records shall identify the funding source and amount for any student who has enrolled as well as any other item set forth by rule.

(17) Failure to maintain a copy of the student record as defined by rule.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)

(225 ILCS 410/3C-1) (from Ch. 111, par. 1703C-1)
(Section scheduled to be repealed on January 1, 2006)

Sec. 3C-1. Definitions. "Nail technician" means any person who for compensation manicures, pedicures, or decorates nails, applies ~~sculptured or otherwise~~ artificial applications ~~nails~~ by hand or with mechanical or electrical apparatus or appliances, or in any way beautifies ~~cares for~~ the nails or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees of another person for other than the treatment of medical disorders.

However, nail technicians are prohibited from using techniques, products, and practices intended to affect the living layers of the skin ~~performing any procedure that may puncture the skin or which may draw blood or serous body fluid~~. The term nail technician includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the nails or skin.

"Nail technician teacher" means an individual licensed by the Department to provide instruction in the theory and practice of nail technology to students in an approved nail technology school.

"Licensed nail technology clinic teacher" means an individual licensed by the Department to practice nail technology as defined in this Act and to provide clinical instruction in the practice of nail technology in an approved school of cosmetology or an approved school of nail technology.

(Source: P.A. 90-302, eff. 8-1-97; 91-863, eff. 7-1-00.)

(225 ILCS 410/3C-2) (from Ch. 111, par. 1703C-2)
(Section scheduled to be repealed on January 1, 2006)

Sec. 3C-2. License; qualifications. A person is qualified to receive a license as a nail technician if that person applies in writing on forms provided by the Department, pays the required fee, and:

- (a) Is at least 16 years of age;
- (b) Is beyond the age of compulsory school attendance or has a certificate of graduation from a school providing secondary education ~~Has graduated from an eighth grade elementary school or the recognized its equivalent of that certificate;~~
- (c) Has graduated from a school of cosmetology or school of nail technology approved by the Department, having completed a program ~~curriculum~~ of 350 hours in the study of nail technology extending over a period of not less than 8 weeks nor more than 2 consecutive years ~~and including the following: (1) theory, (2) manicuring and pedicuring, (3) nail treatments, (4) sanitary rules and sterilization, and (5) related electives; and~~
- (d) Has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive a license as a nail technician; and
- (e) Has met any other requirements of this Act.

Time spent in the study of nail technology under the laws of another state or territory of the United States, or of a foreign country or province, shall be credited toward the period of study required by the provisions of subsection (c).

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 410/3C-3) (from Ch. 111, par. 1703C-3)
(Section scheduled to be repealed on January 1, 2006)

Sec. 3C-3. Licensure as a nail technology teacher or nail technology clinic teacher; qualifications.

(a) A person is qualified to receive a license as a nail technology teacher if that person has filed an application on forms provided by the Department, paid the required fee, and:

- (1) is at least 18 years of age;
- (2) has graduated from high school or its equivalent;
- (3) has a current license as a cosmetologist or nail technician;
- (4) has either: (1) completed a program of 500 hours of teacher training in a licensed school of nail technology or cosmetology, and had 2 years of practical experience as a nail technician; or (2) has completed a program of 625 hours of teacher training in a licensed school of cosmetology approved to teach nail technology or school of nail technology; and
- (5) who has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive a license as a cosmetology or nail technology teacher.

(b) A person is qualified to receive a license as a nail technology clinic teacher if that person has applied in writing on forms supplied by the Department, paid the required fees, and:

- (1) is at least 18 years of age;
- (2) has graduated from high school or its equivalent;

(3) has a current license as a licensed cosmetologist or nail technician;

(4) has (i) completed a program of 250 hours of clinic teacher training in a licensed school of cosmetology or a licensed nail technology school or (ii) within 5 years preceding the examination, has obtained a minimum of ~~and had~~ 2 years of practical experience working at least 30 full-time hours per week as a licensed cosmetologist or nail technician and has completed an instructor's institute of 20 hours, as prescribed by the Department, prior to submitting an application for examination within 5 years preceding the examination;

(5) has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive
a

license as a licensed cosmetology teacher or licensed nail technology teacher;

(6) demonstrates, to the satisfaction of the Department, current skills in the use of machines used in the practice of nail technology; and

(7) has met any other requirements required by this Act.

The Department shall not issue any new nail technology clinic teacher licenses after January 1, 2009. Any person issued a license as a nail technology clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(c) An applicant who receives a license as a nail technology teacher or nail technology clinic teacher shall not be required to maintain a license as a nail technician.

(Source: P.A. 90-302, eff. 8-1-97; 91-863, eff. 7-1-00.)

(225 ILCS 410/3C-9) (from Ch. 111, par. 1703C-9)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3C-9. Endorsement. Upon payment of the required fee, an applicant who is a nail technician, nail technology teacher, or nail technology clinic teacher registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may be granted a license as a nail technician, nail technician teacher, or nail technology clinic teacher by the Department in its discretion upon the following conditions:

(a) For a nail technologist registered or licensed elsewhere:

(1) the applicant is at least 16 years of age;

(1.5) the applicant has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive a license as a nail technician; and

(2) the requirements for the registration or licensing of nail technicians in the particular state, territory, country or province were, at the date of licensure, substantially equivalent to the requirements then in force in this State. The Department shall prescribe reasonable rules and regulations governing the recognition of and the credit to be given to the study of nail technology under a cosmetologist or nail technician registered or licensed under the laws of another state or territory of the United States or a foreign country or province by an applicant for a license as a nail technician.

(b) For a nail technology teacher or nail technology clinic teacher licensed or registered elsewhere:

(1) the applicant is at least 18 years of age;

(1.5) the applicant has passed an examination authorized by the Department to determine eligibility ~~fitness~~ to receive a license as a nail technology teacher; and

(2) the requirements for the licensing of nail technology teachers or nail technology clinic teachers in the other jurisdiction were, at the date of licensure, substantially equivalent to the requirements then in force in this State; or the applicant has established proof of legal practice as a nail technology teacher or nail technology clinic teacher in another jurisdiction for at least 3 years.

The Department shall allow applicants who have been licensed to practice nail technology in other states a credit of at least 75 hours for each year of experience toward the education required under this Act.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97; 90-632, eff. 1-1-99.)

(225 ILCS 410/3D-5)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3D-5. Requisites for ownership or operation of cosmetology, esthetics, and nail technology salons and barber shops.

(a) No person, firm, partnership, limited liability company, or corporation shall own or operate a cosmetology, esthetics, or nail technology salon or barber shop or employ, rent space to, or independently

contract with any licensee under this Act without first applying on forms provided by the Department for a certificate of registration.

(b) The application for a certificate of registration under this Section shall set forth the name, address, and telephone number of the proposed cosmetology, esthetics, or nail technology salon or barber shop; the name, address, and telephone number of the person, firm, partnership, or corporation that is to own or operate the salon or shop; and, if the salon or shop is to be owned or operated by an entity other than an individual, the name, address, and telephone number of the managing partner or the chief executive officer of the corporation or other entity that owns or operates the salon or shop.

(c) The Department shall be notified by the owner or operator of a salon or shop that is moved to a new location. If there is a change in the ownership or operation of a salon or shop, the new owner or operator shall report that change to the Department along with completion of any additional requirements set forth by rule.

(d) If a person, firm, partnership, limited liability company, or corporation owns or operates more than one shop or salon, a separate certificate of registration must be obtained for each salon or shop.

(e) A certificate of registration granted under this Section may be revoked in accordance with the provisions of Article IV and the holder of the certificate may be otherwise disciplined by the Department in accordance with rules adopted under this Act.

(f) The Department may promulgate rules to establish additional requirements for owning or operating a salon or shop.

(Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97.)

(225 ILCS 410/4-1) (from Ch. 111, par. 1704-1)

(Section scheduled to be repealed on January 1, 2006)

Sec. 4-1. Powers and duties of Department. The Department shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) To cause to be conducted examinations to ascertain the qualifications and fitness of applicants for licensure as cosmetologists, estheticians, nail technicians, or barbers and as cosmetology, esthetics, nail technology, or barbering teachers.

(2) To determine the ~~establish~~ qualifications for licensure as a cosmetologist, esthetician, nail technician, or barber or cosmetology, esthetics, nail technology, or barber teacher or cosmetology, esthetics, or nail technology clinic teachers for persons currently licensed as cosmetologists, estheticians, nail technicians, or barbers or cosmetology, esthetics, nail technology, or barber teachers or cosmetology, esthetics, or nail technology clinic teachers outside the State of Illinois or the continental U.S.

(3) To prescribe rules for:

(i) The method of examination of candidates for licensure as a cosmetologist, esthetician, nail technician, or barber or cosmetology, esthetics, nail technology, or barbering teacher.

(ii) Minimum standards as to what constitutes an approved school of cosmetology, esthetics, nail technology, or barbering.

(4) To conduct investigations or hearings on proceedings to determine disciplinary action.

(5) To prescribe reasonable rules governing the sanitary regulation and inspection of cosmetology, esthetics, nail technology, or barbering schools, salons, or shops.

(6) To prescribe, ~~subject to and consistent with the provisions of Section 4-1.5,~~ reasonable rules for the method of renewal for each license as a cosmetologist, esthetician, nail technician, or barber or cosmetology, esthetics, nail technology, or barbering teacher or cosmetology, esthetics, or nail technology clinic teacher.

(7) To prescribe reasonable rules for the method of registration, the issuance, fees, renewal and discipline of a certificate of registration for the ownership or operation of cosmetology, esthetics, and nail technology salons and barber shops.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)

(225 ILCS 410/4-2) (from Ch. 111, par. 1704-2)

(Section scheduled to be repealed on January 1, 2006)

Sec. 4-2. The Barber, Cosmetology, Esthetics, and Nail Technology Board Committee. There is established within the Department the Barber, Cosmetology, Esthetics, and Nail Technology Board Committee, composed of 11 persons, which shall serve in an advisory capacity to designated from time to time by the Director to advise the Director in all matters related to the practice of barbering, cosmetology, esthetics, and nail technology.

The 11 members of the Board Committee shall be appointed as follows: 6 licensed cosmetologists, all of whom hold a current license as a cosmetologist or cosmetology teacher and, for appointments made after

the effective date of this amendatory Act of 1996, at least 2 of whom shall be an owner of or a major stockholder in a school of cosmetology, 2 of whom shall be representatives of either a franchiser or an owner operating salons in 2 or more locations within the State ~~one of whom shall be a representative of a franchiser with 5 or more locations within the State, one of whom shall be a representative of an owner operating salons in 5 or more locations within the State~~, one of whom shall be an independent salon owner, and no one of the cosmetologist members shall be a manufacturer, jobber, or stockholder in a factory of cosmetology articles or an immediate family member of any of the above; 2 of whom shall be barbers holding a current license; one member who shall be a licensed esthetician or esthetics teacher; one member who shall be a licensed nail technician or nail technology teacher; and one public member who holds no licenses issued by the Department. The Director shall give due consideration for membership to recommendations by members of the professions and by their professional organizations. Members shall serve 4 year terms and until their successors are appointed and qualified. No member shall be reappointed to the Board Committee for more than 2 terms. Appointments to fill vacancies shall be made in the same manner as original appointments for the unexpired portion of the vacated term. Members of the Board Committee in office on the effective date of this amendatory Act of 1996 shall continue to serve for the duration of the terms to which they have been appointed, but beginning on that effective date all appointments of licensed cosmetologists and barbers to serve as members of the Board Committee shall be made in a manner that will effect at the earliest possible date the changes made by this amendatory Act of 1996 in the representative composition of the Board Committee.

A majority of Board Committee members then appointed constitutes a quorum. A majority of the quorum is required for a Board Committee decision.

Whenever the Director is satisfied that substantial justice has not been done in an examination, the Director may order a reexamination by the same or other examiners.

(Source: P.A. 93-253, eff. 7-22-03.)

(225 ILCS 410/3C-4 rep.) (225 ILCS 410/3C-5 rep.) (225 ILCS 410/4-1.5 rep.)

Section 15. The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 is amended by repealing Sections 3C-4, 3C-5, and 4-1.5.

Section 99. Effective date. This Act takes effect December 31, 2005."

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 866 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 1173

A bill for AN ACT concerning criminal law.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 1173

Passed the Senate, as amended, May 18, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1173 on page 4, line 11, by inserting "or persons employed by law enforcement or prosecuting agencies" after "officers".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1173 was placed on the Calendar on the order of Concurrence.

REPORTS FROM STANDING COMMITTEES

Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1119.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 42 and SENATE JOINT RESOLUTION 6.

The committee roll call vote on Senate Joint Resolution 6 is as follows:

17, Yeas; 0, Nays; 0, Answering Present.

A Hoffman, Jay(D), Chairperson	Y Beiser, Daniel(D)
Y Black, William(R)	Y Bost, Mike(R)
Y Brauer, Rich(R)	Y Brosnahan, James(D)
Y D'Amico, John(D)	A Fritchey, John(D)
Y Froehlich, Paul(R)	A Graham, Deborah(D)
A Joyce, Kevin(D)	Y Lyons, Joseph(D)
Y Mathias, Sidney(R)	Y McAuliffe, Michael(R)
A McCarthy, Kevin(D)	A Mendoza, Susana(D)
Y Miller, David(D), Vice-Chairperson	A Millner, John(R)
Y Molaro, Robert(D)	Y Nekritz, Elaine(D)
Y Poe, Raymond(R)	A Soto, Cynthia(D)
Y Stephens, Ron(R)	A Tenhouse, Art(R)
Y Tryon, Michael(R)	A Wait, Ronald(R), Republican Spokesperson
Y Washington, Eddie(D)	

The committee roll call vote on House Joint Resolution 42 is as follows:

16, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman, Jay(D), Chairperson	Y Beiser, Daniel(D)
Y Black, William(R)	Y Bost, Mike(R)
Y Brauer, Rich(R)	Y Brosnahan, James(D)
Y D'Amico, John(D)	A Fritchey, John(D)
Y Froehlich, Paul(R)	A Graham, Deborah(D)
A Joyce, Kevin(D)	Y Lyons, Joseph(D)
Y Mathias, Sidney(R)	A McAuliffe, Michael(R)
A McCarthy, Kevin(D)	A Mendoza, Susana(D)
Y Miller, David(D), Vice-Chairperson	A Millner, John(R)
Y Molaro, Robert(D)	Y Nekritz, Elaine(D)
Y Poe, Raymond(R)	A Soto, Cynthia(D)
Y Stephens, Ron(R)	A Tenhouse, Art(R)
Y Tryon, Michael(R)	A Wait, Ronald(R), Republican Spokesperson
A Washington, Eddie(D)	

The committee roll call vote on Senate Bill 1119 is as follows:

15, Yeas; 2, Nays; 0, Answering Present.

A Hoffman, Jay(D), Chairperson	Y Beiser, Daniel(D)
Y Black, William(R)	N Bost, Mike(R)
Y Brauer, Rich(R)	Y Brosnahan, James(D)
Y D'Amico, John(D)	A Fritchey, John(D)
Y Froehlich, Paul(R)	A Graham, Deborah(D)
A Joyce, Kevin(D)	Y Lyons, Joseph(D)
Y Mathias, Sidney(R)	Y McAuliffe, Michael(R)
A McCarthy, Kevin(D)	A Mendoza, Susana(D)
Y Miller, David(D), Vice-Chairperson	A Millner, John(R)

Y Molaro,Robert(D)
 Y Poe,Raymond(R)
 N Stephens,Ron(R)
 Y Tryon,Michael(R)
 Y Washington,Eddie(D)

Y Nekritz,Elaine(D)
 A Soto,Cynthia(D)
 A Tenhouse,Art(R)
 A Wait,Ronald(R), Republican Spokesperson

Representative Yarbrough, Chairperson, from the Committee on Housing and Urban Development to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
 Amendment No. 1 to SENATE BILL 966.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
 HOUSE JOINT RESOLUTION 38.

The committee roll call vote on Amendment No. 1 to Senate Bill 966 and House Joint Resolution 38 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

Y Yarbrough,Karen(D), Chairperson
 Y Biggins,Bob(R)
 A Graham,Deborah(D)
 Y Kelly,Robin(D)
 A McKeon,Larry(D), Vice-Chairperson(Mendoza)
 Y Patterson,Milton(D)
 A Poe,Raymond(R)
 A Schmitz,Timothy(R)

Y Bassi,Suzanne(R)
 A Froehlich,Paul(R)
 A Hamos,Julie(D)
 Y Leitch,David(R), Republican Spokesperson
 Y Nekritz,Elaine(D)
 A Pihos,Sandra(R)
 Y Ryg,Kathleen(D)
 Y Younge,Wyvetter(D)

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar:
 HOUSE RESOLUTIONS 278, 299, 356 and HOUSE JOINT RESOLUTION 43.

That the Floor Amendment be reported "recommends be adopted":
 Amendment No. 2 to HOUSE BILL 258.

The committee roll call vote on House Resolution 278 is as follows:
 8, Yeas; 0, Nays; 0, Answering Present.

Y Delgado,William(D), Chairperson
 Y Chavez,Michelle(D)
 A Coulson,Elizabeth(R)
 Y Dunn,Joe(R)
 A Howard,Constance(D)
 A Jenisch,Roger(R)

Y Bellock,Patricia(R), Republican Spokesperson
 Y Collins,Annazette(D)
 A Cultra,Shane(R)
 Y Flowers,Mary(D)
 Y Jakobsson,Naomi(D)
 Y Rita,Robert(D), Vice-Chairperson

The committee roll call vote on House Joint Resolution 43, Amendment No. 2 to House Bill 258 and House Resolutions 299 and 356 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

Y Delgado,William(D), Chairperson
 Y Chavez,Michelle(D)
 A Coulson,Elizabeth(R)
 Y Dunn,Joe(R)
 A Howard,Constance(D)
 Y Jenisch,Roger(R)

Y Bellock,Patricia(R), Republican Spokesperson
 Y Collins,Annazette(D)
 A Cultra,Shane(R)
 Y Flowers,Mary(D)
 Y Jakobsson,Naomi(D)
 Y Rita,Robert(D), Vice-Chairperson

Representative Reitz, Chairperson, from the Committee on Revenue to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 280.

The committee roll call vote on House Resolution 280 is as follows:

8, Yeas; 0, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	A Beaubien,Mark(R)
Y Biggins,Bob(R), Republican Spokesperson	A Currie,Barbara(D), Vice-Chairperson
A Hannig,Gary(D)	Y Holbrook,Thomas(D)
Y Jenisch,Roger(R)	A Krause,Carolyn(R)
Y McGuire,Jack(D)	Y Smith,Michael(D)
Y Sullivan,Ed(R)	Y Younge,Wyvetter(D)

Representative Joyce, Chairperson, from the Committee on Aging to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4024.

The committee roll call vote on House Bill 4024 is as follows:

16, Yeas; 0, Nays; 0, Answering Present.

Y Joyce,Kevin(D), Chairperson	Y Beiser,Daniel(D), Vice-Chairperson
A Bellock,Patricia(R), Republican Spokesperson	Y Bradley,John(D)
Y Coulson,Elizabeth(R)	Y D'Amico,John(D)
Y Franks,Jack(D)	Y Froehlich,Paul(R)
Y Gordon,Careen(D)	Y Jefferson,Charles(D)
Y Lyons,Joseph(D)	Y McGuire,Jack(D)
A McKeon,Larry(D)	Y Mitchell,Bill(R)
Y Mitchell,Jerry(R)	A Osmond,JoAnn(R)
Y Reitz,Dan(D)	Y Saviano,Angelo(R)
A Wait,Ronald(R)	Y Watson,Jim(R)

Representative Soto, Chairperson, from the Committee on Child Support Enforcement to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 530.

The committee roll call vote on Senate Bill 530 is as follows:

6, Yeas; 0, Nays; 0, Answering Present.

Y Soto,Cynthia(D), Chairperson	Y Dunkin,Kenneth(D), Vice-Chairperson
A Bailey,Patricia(D)	Y Brady,Dan(R)
Y Davis,William(D)	Y Lindner,Patricia(R), Republican Spokesperson
A Schmitz,Timothy(R)	A Winters,Dave(R)
Y Younge,Wyvetter(D)	

Representative Holbrook, Chairperson, from the Committee on Environment & Energy to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 1701 and 1909.

The committee roll call vote on Senate Bills 1701 and 1909 is as follows:

14, Yeas; 0, Nays; 0, Answering Present.

Y Holbrook,Thomas(D), Chairperson	A Nekritz,Elaine(D), Vice-Chairperson
A Bradley,Richard(D)	Y Cultra,Shane(R)
A Hamos,Julie(D)	A Joyce,Kevin(D)
Y Kosel,Renee(R)	Y Leitch,David(R)
Y Mautino,Frank(D)	Y May,Karen(D)
Y Meyer,James(R)	A Parke,Terry(R)
Y Phelps,Brandon(D)	Y Reitz,Dan(D)
Y Rita,Robert(D)	Y Rose,Chapin(R)
Y Schock,Aaron(R)	Y Smith,Michael(D)
A Tenhouse,Art(R), Republican Spokesperson	A Tryon,Michael(R)
A Verschoore,Patrick(D)	Y Winters,Dave(R)

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 476.

Amendment No. 1 to HOUSE BILL 2275.

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 291, 300, 318, 326, 327, 333, 334 and 359.

The committee roll call vote on House Resolutions 291, 300, 318, 326, 327, 333, 334, 359 and Amendment No. 1 to House Bill 2275 is as follows:

8, Yeas; 0, Nays; 0, Answering Present.

Y Franks,Jack(D), Chairperson	Y Bradley,John(D) (Jefferson)
Y Chavez,Michelle(D)	Y Collins,Annazette(D)
Y Dugan,Lisa(D), Vice-Chairperson (Flowers)	Y Lindner,Patricia(R)
Y Mitchell,Bill(R)	Y Myers,Richard(R)
A Stephens,Ron(R), Republican Spokesperson	

The committee roll call vote on Amendment No. 2 to House Bill 476 is as follows:

7, Yeas; 1, Nays; 0, Answering Present.

Y Franks,Jack(D), Chairperson	Y Bradley,John(D) (Jefferson)
Y Chavez,Michelle(D)	Y Collins,Annazette(D)
Y Dugan,Lisa(D), Vice-Chairperson (Flowers)	Y Lindner,Patricia(R)
Y Mitchell,Bill(R)	N Myers,Richard(R)
A Stephens,Ron(R), Republican Spokesperson	

Representative Soto, Chairperson, from the Committee on Labor to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 143 and 274.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 425.

The committee roll call vote on Senate Bill 143 is as follows:

14, Yeas; 2, Nays; 0, Answering Present.

Y McKeon,Larry(D), Chairperson(Osterman)	Y Beaubien,Mark(R)
Y Boland,Mike(D)	Y Colvin,Marlow(D)
N Cultra,Shane(R)	Y D'Amico,John(D)
Y Davis,William(D)	N Dunn,Joe(R)
A Eddy,Roger(R)	Y Graham,Deborah(D) (M. Davis)
Y Hoffman,Jay(D) (Verschoore)	Y Howard,Constance(D)
A Hultgren,Randall(R)	Y Jefferson,Charles(D) (Dunkin)

Y Parke, Terry(R)
 Y Soto, Cynthia(D), Vice-Chairperson
 Y Washington, Eddie(D)

A Schmitz, Timothy(R)
 A Tenhouse, Art(R)
 Y Winters, Dave(R), Republican Spokesperson

The committee roll call vote on Senate Bill 274 is as follows:

15, Yeas; 1, Nays; 0, Answering Present.

Y McKeon, Larry(D), Chairperson(Osterman)
 Y Boland, Mike(D)
 N Cultra, Shane(R)
 Y Davis, William(D)
 Y Eddy, Roger(R)
 Y Hoffman, Jay(D) (Verschoore)
 A Hultgren, Randall(R)
 Y Parke, Terry(R)
 Y Soto, Cynthia(D), Vice-Chairperson
 Y Washington, Eddie(D)

Y Beaubien, Mark(R)
 Y Colvin, Marlow(D)
 Y D'Amico, John(D)
 A Dunn, Joe(R)
 Y Graham, Deborah(D) (M. Davis)
 Y Howard, Constance(D)
 Y Jefferson, Charles(D) (Dunkin)
 A Schmitz, Timothy(R)
 A Tenhouse, Art(R)
 Y Winters, Dave(R), Republican Spokesperson

The committee roll call vote on House Resolution 425 is as follows:

11, Yeas; 4, Nays; 1, Answering Present.

Y McKeon, Larry(D), Chairperson (Osterman)
 Y Boland, Mike(D)
 N Cultra, Shane(R)
 Y Davis, William(D)
 N Eddy, Roger(R)
 Y Hoffman, Jay(D) (Verschoore)
 A Hultgren, Randall(R)
 N Parke, Terry(R)
 Y Soto, Cynthia(D), Vice-Chairperson
 Y Washington, Eddie(D)

N Beaubien, Mark(R)
 P Colvin, Marlow(D)
 Y D'Amico, John(D)
 A Dunn, Joe(R)
 Y Graham, Deborah(D) (M. Davis)
 Y Howard, Constance(D)
 Y Jefferson, Charles(D) (Dunkin)
 A Schmitz, Timothy(R)
 A Tenhouse, Art(R)
 Y Winters, Dave(R), Republican Spokesperson

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 1676 and 1851.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 69 and 1853.

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTIONS 41 and 54.

The committee roll call vote on House Joint Resolutions 41, 54 and Senate Bills 69, 1676 and 1853 is as follows:

17, Yeas; 0, Nays; 0, Answering Present.

Y Giles, Calvin(D), Chairperson
 Y Bassi, Suzanne(R)
 Y Chapa LaVia, Linda(D)
 Y Dugan, Lisa(D)
 Y Flider, Robert(D)
 Y Miller, David(D)
 Y Moffitt, Donald(R)
 Y Munson, Ruth(R)
 Y Pihos, Sandra(R)
 A Reis, David(R)
 Y Watson, Jim(R)

Y Davis, Monique(D), Vice-Chairperson
 Y Beiser, Daniel(D)
 Y Colvin, Marlow(D)
 A Eddy, Roger(R)
 Y Joyce, Kevin(D)
 Y Mitchell, Jerry(R), Republican Spokesperson
 Y Mulligan, Rosemary(R)
 A Osterman, Harry(D)
 Y Pritchard, Robert(R)
 A Smith, Michael(D)

The committee roll call vote on Senate Bill 1851 is as follows:

16, Yeas; 0, Nays; 0, Answering Present.

Y Giles, Calvin(D), Chairperson	Y Davis, Monique(D), Vice-Chairperson
Y Bassi, Suzanne(R)	Y Beiser, Daniel(D)
Y Chapa LaVia, Linda(D)	Y Colvin, Marlow(D)
Y Dugan, Lisa(D)	A Eddy, Roger(R)
Y Flider, Robert(D)	Y Joyce, Kevin(D)
Y Miller, David(D)	Y Mitchell, Jerry(R), Republican Spokesperson
Y Moffitt, Donald(R)	Y Mulligan, Rosemary(R)
Y Munson, Ruth(R)	A Osterman, Harry(D)
A Pihos, Sandra(R)	Y Pritchard, Robert(R)
A Reis, David(R)	A Smith, Michael(D)
Y Watson, Jim(R)	

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on May 17, 2005, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 1740 and 1930.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 232 and 1883.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 37.

That the Floor Amendment be reported "recommends be adopted": Amendment No. 1 to HOUSE BILL 2048.

The committee roll call vote on Senate Bills 1740, 1930 and Amendment No. 1 to House Bill 2048 is as follows:

14, Yeas; 0, Nays; 0, Answering Present.

Y Fritchey, John(D), Chairperson	Y Bradley, John(D), Vice-Chairperson
Y Brosnahan, James(D)	Y Gordon, Careen(D)
Y Hamos, Julie(D) (Collins)	Y Hoffman, Jay(D) (McCarthy)
Y Hultgren, Randall(R), Republican Spokesperson	Y Lang, Lou(D)
Y Mathias, Sidney(R)	Y Nekritz, Elaine(D)
Y Osmond, JoAnn(R)	Y Rose, Chapin(R)
Y Sacia, Jim(R)	Y Wait, Ronald(R) (Reis)

The committee roll call vote on Senate Bill 232 is as follows:

12, Yeas; 0, Nays; 0, Answering Present.

A Fritchey, John(D), Chairperson	Y Bradley, John(D), Vice-Chairperson
Y Brosnahan, James(D)	Y Gordon, Careen(D)
Y Hamos, Julie(D) (Collins)	Y Hoffman, Jay(D) (McCarthy)
Y Hultgren, Randall(R), Republican Spokesperson	Y Lang, Lou(D)
Y Mathias, Sidney(R)	Y Nekritz, Elaine(D)
Y Osmond, JoAnn(R)	Y Rose, Chapin(R)
Y Sacia, Jim(R)	A Wait, Ronald(R)

The committee roll call vote on Senate Bill 1883 is as follows:

11, Yeas; 1, Nays; 1, Answering Present.

P Fritchey, John(D), Chairperson	Y Bradley, John(D), Vice-Chairperson
Y Brosnahan, James(D)	Y Gordon, Careen(D)
A Hamos, Julie(D) (Collins)	Y Hoffman, Jay(D) (McCarthy)

N Hultgren,Randall(R), Republican Spokesperson	Y Lang,Lou(D)
Y Mathias,Sidney(R)	Y Nekritz,Elaine(D)
Y Osmond,JoAnn(R)	Y Rose,Chapin(R)
Y Sacia,Jim(R)	Y Wait,Ronald(R) (Reis)

The committee roll call vote on House Joint Resolution 37 is as follows:

8, Yeas; 5, Nays; 1, Answering Present.

Y Fritchey,John(D), Chairperson	Y Bradley,John(D), Vice-Chairperson
Y Brosnahan,James(D)	Y Gordon,Careen(D)
Y Hamos,Julie(D) (Collins)	Y Hoffman,Jay(D) (McCarthy)
N Hultgren,Randall(R), Republican Spokesperson	Y Lang,Lou(D)
P Mathias,Sidney(R)	Y Nekritz,Elaine(D)
N Osmond,JoAnn(R)	N Rose,Chapin(R)
N Sacia,Jim(R)	N Wait,Ronald(R) (Reis)

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 13, 468 and HOUSE BILL 3871.

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 6 to HOUSE BILL 1038.

Amendment No. 1 to SENATE BILL 1666.

The committee roll call vote on Amendment No. 6 to House Bill 1038 and House Bill 3871 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

Y Franks,Jack(D), Chairperson	Y Bradley,John(D)
Y Chavez,Michelle(D)	Y Collins,Annazette(D) (Lang)
Y Dugan,Lisa(D), Vice-Chairperson	Y Lindner,Patricia(R)
Y Mitchell,Bill(R)	Y Myers,Richard(R)
Y Stephens,Ron(R), Republican Spokesperson	

The committee roll call vote on Senate Bill 13 is as follows:

5, Yeas; 0, Nays; 2, Answering Present.

Y Franks,Jack(D), Chairperson	Y Bradley,John(D)
Y Chavez,Michelle(D)	Y Collins,Annazette(D) (Lang)
Y Dugan,Lisa(D), Vice-Chairperson	A Lindner,Patricia(R)
A Mitchell,Bill(R)	P Myers,Richard(R)
P Stephens,Ron(R), Republican Spokesperson	

The committee roll call vote on Senate Bill 468 is as follows:

5, Yeas; 3, Nays; 0, Answering Present.

N Franks,Jack(D), Chairperson	N Bradley,John(D) (Jefferson)
N Chavez,Michelle(D)	Y Collins,Annazette(D) (Lang)
Y Dugan,Lisa(D), Vice-Chairperson(Flowers)	Y Lindner,Patricia(R)
Y Mitchell,Bill(R)	Y Myers,Richard(R)
A Stephens,Ron(R), Republican Spokesperson	

The committee roll call vote on Amendment No. 1 to Senate Bill 1666 is as follows:

8, Yeas; 0, Nays; 0, Answering Present.

Y Franks,Jack(D), Chairperson	Y Bradley,John(D) (Jefferson)
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Y Chavez,Michelle(D)	Y Collins,Annazette(D) (Lang)
Y Dugan,Lisa(D), Vice-Chairperson(Flowers)	Y Lindner,Patricia(R)
Y Mitchell,Bill(R)	Y Myers,Richard(R)
A Stephens,Ron(R), Republican Spokesperson	

Representative Lang, Chairperson, from the Committee on Gaming to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 1 to HOUSE BILL 1919.

The committee roll call vote on Amendment No. 1 to House Bill 1919 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

Y Lang,Lou(D), Chairperson	Y Beaubien,Mark(R)
Y Berrios,Maria(D), Vice-Chairperson	Y Hassert,Brent(R), Republican Spokesperson
A Kosel,Renee(R)	Y Molaro,Robert(D)
Y Rita,Robert(D)	Y Scully,George(D)
Y Stephens,Ron(R) (Black)	A Sullivan,Ed(R)
Y Verschoore,Patrick(D)	

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:

HOUSE RESOLUTION 389.

The committee roll call vote on House Resolution 389 is as follows:

8, Yeas; 0, Nays; 0, Answering Present.

Y May,Karen(D), Chairperson	A Brauer,Rich(R)
A Churchill,Robert(R)	Y Feigenholtz,Sara(D) (Jakobsson)
Y McCarthy,Kevin(D) (Nekritz)	Y Meyer,James(R), Republican Spokesperson
Y Parke,Terry(R)	Y Ryg,Kathleen(D)
Y Tryon,Michael(R)	Y Yarbrough,Karen(D)
A Younge,Wyvetter(D), Vice-Chairperson	

Representative Saviano, Chairperson, from the Committee on Registration and Regulation to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 201.

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 3167.

The committee roll call vote on Senate Bill 201 is as follows:

19, Yeas; 0, Nays; 0, Answering Present.

Y Saviano,Angelo(R), Chairperson	Y Acevedo,Edward(D)
A Bellock,Patricia(R)	Y Bradley,Richard(D)
Y Brauer,Rich(R)	Y Burke,Daniel(D)
Y Coulson,Elizabeth(R), Republican Spokesperson	A Davis,Monique(D)
Y Delgado,William(D)	A Fritchey,John(D), Vice-Chairperson
Y Froehlich,Paul(R)	Y Granberg,Kurt(D)
Y Holbrook,Thomas(D)	A Joyce,Kevin(D)
Y Kosel,Renee(R)	Y Mautino,Frank(D)
Y McAuliffe,Michael(R)	Y Mendoza,Susana(D)
Y Miller,David(D)	Y Millner,John(R)

A Mulligan,Rosemary(R)
 A Phelps,Brandon(D)
 Y Reitz,Dan(D)

Y Munson,Ruth(R)
 Y Reis,David(R)
 A Sullivan,Ed(R)

The committee roll call vote on Amendment No. 2 to House Bill 3167 is as follows:
 15, Yeas; 2, Nays; 0, Answering Present.

Y Saviano,Angelo(R), Chairperson
 A Bellock,Patricia(R)
 A Brauer,Rich(R)
 Y Coulson,Elizabeth(R), Republican Spokesperson
 Y Delgado,William(D)
 Y Froehlich,Paul(R)
 Y Holbrook,Thomas(D)
 Y Kosel,Renee(R)
 Y McAuliffe,Michael(R)
 Y Miller,David(D)
 A Mulligan,Rosemary(R)
 A Phelps,Brandon(D)
 A Reitz,Dan(D)

Y Acevedo,Edward(D)
 Y Bradley,Richard(D)
 Y Burke,Daniel(D)
 A Davis,Monique(D)
 A Fritchey,John(D), Vice-Chairperson
 Y Granberg,Kurt(D)
 A Joyce,Kevin(D)
 Y Mautino,Frank(D)
 Y Mendoza,Susana(D)
 Y Millner,John(R)
 N Munson,Ruth(R)
 N Reis,David(R)
 A Sullivan,Ed(R)

Representative Daniels, Chairperson, from the Committee on Developmental Disabilities and Mental Illness to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 3 to HOUSE BILL 3031.

The committee roll call vote on Amendment No. 3 to House Bill 3031 is as follows:
 5, Yeas; 0, Nays; 1, Answering Present.

P Daniels,Lee(R), Chairperson
 Y Bellock,Patricia(R)
 Y Churchill,Robert(R), Republican Spokesperson
 A McKeon,Larry(D)

Y Ryg,Kathleen(D), Vice-Chairperson
 Y Chapa LaVia,Linda(D)
 Y Hultgren,Randall(R)

Representative McCarthy, Chairperson, from the Committee on Higher Education to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
 HOUSE RESOLUTION 364.

The committee roll call vote on House Resolution 364 is as follows:
 9, Yeas; 0, Nays; 0, Answering Present.

Y McCarthy,Kevin(D), Chairperson
 Y Black,William(R)
 A Brady,Dan(R)
 A Chavez,Michelle(D)
 A Howard,Constance(D)
 Y Miller,David(D)
 Y Pritchard,Robert(R)

Y Beiser,Daniel(D)
 Y Bost,Mike(R), Republican Spokesperson
 A Brosnahan,James(D)
 Y Eddy,Roger(R)
 Y Jakobsson,Naomi(D), Vice-Chairperson
 Y Poe,Raymond(R)

Representative McAuliffe, Chairperson, from the Committee on Veterans Affairs to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
HOUSE RESOLUTION 286.

The committee roll call vote on House Resolution 286 is as follows:

7, Yeas; 0, Nays; 0, Answering Present.

Y McAuliffe, Michael(R), Chairperson	A Bailey, Patricia(D)
Y Bost, Mike(R)	Y Chapa LaVia, Linda(D), Vice-Chairperson
Y Dugan, Lisa(D)	Y Flider, Robert(D)
A Meyer, James(R)	Y Moffitt, Donald(R)
A Phelps, Brandon(D)	A Sacia, Jim(R)
A Schock, Aaron(R)	A Sommer, Keith(R), Republican Spokesperson
Y Verschoore, Patrick(D)	

Representative Jefferson, Chairperson, from the Committee on Elections & Campaign Reform to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 187 and 599.

The committee roll call vote on Senate Bills 187 and 599 is as follows:

6, Yeas; 0, Nays; 0, Answering Present.

Y Jefferson, Charles(D), Chairperson	Y D'Amico, John(D), Vice-Chairperson
Y Beiser, Daniel(D)	Y Flider, Robert(D)
Y Myers, Richard(R)	A Wait, Ronald(R)
Y Winters, Dave(R), Republican Spokesperson	

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2082.

The committee roll call vote on Senate Bill 2082 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Molaro, Robert(D), Chairperson	A Bailey, Patricia(D)
Y Bradley, John(D) (Nekritz)	Y Collins, Annazette(D) (Granberg)
A Cultra, Shane(R)	Y Delgado, William(D), Vice-Chairperson
Y Gordon, Careen(D)	Y Howard, Constance(D)
A Jones, Lovana(D)	Y Lindner, Patricia(R), Republican Spokesperson
Y Mautino, Frank(D)	Y Millner, John(R)
Y Reis, David(R)	Y Sacia, Jim(R)
A Stephens, Ron(R)	A Wait, Ronald(R)

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 244, 417 and 502.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 17, 478, 1968 and 1977.

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 2151.

The committee roll call vote on Senate Bill 417 and Amendment No. 2 to House Bill 2151 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson
 Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D) (Rita)
 Y Lyons,Eileen(R)
 Y McKeon,Larry(D) (Granberg)
 Y Saviano,Angelo(R)

A Acevedo,Edward(D)
 Y Biggins,Bob(R)
 Y Hassert,Brent(R)
 Y Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 A Molaro,Robert(D)

The committee roll call vote on Senate Bill 17 is as follows:
 10, Yeas; 1, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson
 Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D) (Rita)
 Y Lyons,Eileen(R)
 Y McKeon,Larry(D) (Granberg)
 Y Saviano,Angelo(R)

A Acevedo,Edward(D)
 Y Biggins,Bob(R)
 A Hassert,Brent(R)
 N Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 Y Molaro,Robert(D) (Verschoore)

The committee roll call vote on Senate Bill 244 is as follows:
 8, Yeas; 3, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson
 Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D) (Rita)
 N Lyons,Eileen(R)
 A McKeon,Larry(D) (Granberg)
 Y Saviano,Angelo(R)

Y Acevedo,Edward(D) (Delgado)
 N Biggins,Bob(R)
 A Hassert,Brent(R)
 N Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 Y Molaro,Robert(D) (Verschoore)

The committee roll call vote on Senate Bill 478 is as follows:
 9, Yeas; 2, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson
 Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D) (Rita)
 N Lyons,Eileen(R)
 A McKeon,Larry(D) (Granberg)
 Y Saviano,Angelo(R)

Y Acevedo,Edward(D) (Delgado)
 Y Biggins,Bob(R)
 A Hassert,Brent(R)
 N Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 Y Molaro,Robert(D) (Verschoore)

The committee roll call vote on Senate Bill 502 is as follows:
 10, Yeas; 0, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson
 Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D) (Rita)
 Y Lyons,Eileen(R)
 A McKeon,Larry(D)
 Y Saviano,Angelo(R)

A Acevedo,Edward(D)
 Y Biggins,Bob(R)
 Y Hassert,Brent(R)
 Y Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 A Molaro,Robert(D)

The committee roll call vote on Senate Bill 1968 is as follows:
 10, Yeas; 2, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson

A Acevedo,Edward(D)

Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D) (Rita)
 N Lyons,Eileen(R)
 Y McKeon,Larry(D) (Granberg)
 Y Saviano,Angelo(R)

Y Biggins,Bob(R)
 Y Hassert,Brent(R)
 N Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 Y Molaro,Robert(D) (Verschoore)

The committee roll call vote on Senate Bill 1977 is as follows:
 8, Yeas; 1, Nays; 1, Answering Present.

Y Burke,Daniel(D), Chairperson
 Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D) (Rita)
 P Lyons,Eileen(R)
 A McKeon,Larry(D) (Granberg)
 Y Saviano,Angelo(R)

A Acevedo,Edward(D)
 Y Biggins,Bob(R)
 A Hassert,Brent(R)
 N Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 Y Molaro,Robert(D) (Verschoore)

INTRODUCTION AND FIRST READING OF BILL

The following bill was introduced, read by title a first time, ordered printed and placed in the Committee on Rules:

HOUSE BILL 4080. Introduced by Representative Colvin, AN ACT concerning recycling.

RESOLUTION

The following resolution was offered and placed in the Committee on Rules.

HOUSE RESOLUTION 448

Offered by Representative Beiser:

WHEREAS, The Illinois Commerce Commission issued an order in April of 2005 establishing an "overlay" of a new area code to supplement the telephone number supply in Illinois' 618 area code; the new code is 730; and

WHEREAS, The Federal Communications Commission (FCC) currently requires 11-digit dialing when an overlay area code is implemented; and

WHEREAS, The FCC's 11-digit dialing mandate is a needless inconvenience for residential and business consumers; and

WHEREAS, Residents in the 618 region would be able to continue dialing 7 digits for all local calls if the FCC were to change its policy on mandatory 11-digit dialing in an overlay situation; and

WHEREAS, The FCC's mandatory 11-digit dialing policy could soon affect all the residents of Illinois, as the phone industry claims that every area code in the State will be out of phone numbers by 2007; and

WHEREAS, On December 29, 2001, the FCC reversed its long-standing opposition to wireless-only overlays, signaling that the agency is potentially reconsidering its area code policies; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Federal Communications Commission to grant a permanent waiver of the 11-digit dialing mandate for the 618 region and to change its policy on overlay area codes; and be it further

RESOLVED, That new area codes should not be implemented in the 618 region until 50 percent of the available telephone numbers in the existing 618 area code are assigned to consumers; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Chairman of the FCC, the Chairman of the Illinois Commerce Commission, and each member of the Illinois congressional delegation.

AGREED RESOLUTIONS

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

HOUSE RESOLUTION 444

Offered by Representative Hoffman:

WHEREAS, The education of students, our country's future, is one of the most noble pursuits one can choose; and

WHEREAS, Ms. Diane Hartman of Collinsville will be retiring after 33 years in the field of education on June 2, 2005; and

WHEREAS, Ms. Hartman is an algebra and geometry teacher in Cahokia School District #187; and

WHEREAS, She will be honored for her many years of service dedicated to cultivating young minds at a retirement dinner on May 20, 2005; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Diane Hartman on the occasion of her retirement after 33 years of service in the field of education; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Ms. Hartman as an expression of our deepest respect and esteem and with our sincere appreciation for her commitment to education.

HOUSE RESOLUTION 445

Offered by Representative Granberg:

WHEREAS, Robert Schueler of Centralia has donated \$860,000 to St. Mary's Good Samaritan Hospital in Centralia; and

WHEREAS, Mr. Schueler's donation is the biggest contribution the hospital has received since its establishment in 1909; and

WHEREAS, Mr. Schueler, originally from Milwaukee, Wisconsin, has lived in Centralia for 10 years; and

WHEREAS, He has made medical facility donations elsewhere in the past, and helping St. Mary's Hospital helps those who need it; and

WHEREAS, The donation will help the hospital begin a third phase of work in its continuing expansion and renovation of its Centralia campus; the third phase will include construction of a one-day surgery facility; completion of phase three could take a year; and

WHEREAS, A plaque will be placed in the waiting room after the third phase of the work is completed that recognizes Mr. Schueler's generous donation that, in part, made the same-day surgery facility possible; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we wish to thank Robert Schueler for his very generous philanthropic effort on behalf of St. Mary's Hospital and the people of the Centralia community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Robert Schueler as an expression of our utmost respect and esteem.

HOUSE RESOLUTION 446

Offered by Representative Chapa LaVia:

WHEREAS, The members of the Illinois House of Representatives recognize Edward Henry Fauth for his many years of community service; and

WHEREAS, Mr. Fauth was born on October 22, 1922, in Aurora; he was raised in the country and attended country schools in what is now Oswego until enrolling at East High School in Aurora; after graduating from East High in 1939, he began working at Barber-Greene in Aurora until entering the U.S.

Army in 1943; and

WHEREAS, After the war, he returned to Barber-Greene where he worked with only one interruption (for two years to complete his Bachelor of Science degree at Michigan State University in 1950) until 1970; during his years at Barber-Greene, he completed his master's degree in mechanical engineering at Illinois Institute of Technology; after leaving Barber-Greene, he took an administrative position at Waubensee Community College where he worked until his retirement in 1987; during his years at Waubensee, he earned an Ed.D. in secondary education from Nova University; and

WHEREAS, Mr. Fauth served as Dean of Community Services at Waubensee Community College until 1985, he was a Director of the Savings and Loan Association Aurora Home Rule and Revenue Sharing Committee, a member and Vice-Chairman of the southern Kane County planning council, a Kane-Dekalb Consortium for Manpower Services Aurora Labor-Management Committee co-founder, a Director of the Aurora Urban League, and a co-founder/Director of the Kane Kendall County Mental Health Center; he served on the Aurora Area Ad Hoc Committee on Drug Abuse from 1974 to 1973; in addition, he was a Director of the Kane County Community Action Agency from 1970 to 1976, President of the United Way from 1971 to 1973, a member of Aurora East School District 131 Board of Education from 1960 to 1966, and president for two years and member of the Board of Directors of Aurora YMCA from 1960 to 1966; and

WHEREAS, He received the Distinguished Service Award of Cosmopolitan International Club of Aurora in 1977; he was a Kane County Ceta Services volunteer from 1972 to 1984, a leader of the DuKane chapter of the Illinois Society of Professional Engineers from 1981 to 1982, and he received the Quad County Urban League "Do the Right Thing" Award of Honor in 2003; and

WHEREAS, His wife, Frances, serves on the Plum Landing Board of Directors, is a Waubensee Community College Literacy Volunteer Tutor Child Welfare League Church Women, and is a member of the United P.E.O. PTAs; and

WHEREAS, The Fauth's have been a host family for students from Paraguay, Norway, Brazil, and Aurora's Science and Math Academy; they continue to reside in Aurora; they have four children and 12 grandchildren; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize Edward Henry Fauth's many years of exceptional community service to the City of Aurora; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Edward Henry Fauth as an expression of our esteem.

HOUSE RESOLUTION 447

Offered by Representative Fritchey:

WHEREAS, Hazel Renfroe will celebrate her 100th birthday on Saturday, June 18, 2005; and

WHEREAS, She was born in Chicago on Sunday, June 18, 1905; she attended Chicago Public Schools and graduated from Bowen High School; she received her Teacher's Certificate from Chicago Normal College and went on to earn a Bachelor's Degree from the University of Chicago; she also earned a Master of Science in art education from the Illinois Institute of Technology, which included one year of study at the Sorbonne in Paris, France, on a scholarship; she studied painting in Paris, France, in the summer of 1950 and interior design at Northwestern University; and

WHEREAS, During World War II, Ms. Renfroe volunteered 100 hours with the Red Cross as part of the Women's Defense Corps of America; she taught gas mask and messenger courses to adults in Pekin District, O.C.D., and acted as a chaperon for young ladies invited by soldiers to parties at southern Illinois camps; she was cited by the Treasury Department for topping the million dollar mark in the sale of War Stamps and Bonds in Negro hotels in Chicago; and

WHEREAS, Her lifelong passion was her avocation - teaching; she was an art teacher at various Chicago schools, where she rose through the ranks from Elementary Art Instructor to Supervisor of Arts; she directed and taught both Adult and Children's Arts & Crafts programs, served on textbook committees that selected the art books used in Chicago's Public Schools, was a member of the committee which revised DePaul University's Teacher-Training Program, and was a regular member of visiting committees of the North Central Association of Secondary Schools and Colleges to evaluate facilities accreditation, curricula, and faculties with regard to their Art Departments; and

WHEREAS, Ms. Renfroe was politically active; in 1964, she organized 250 women for President Lyndon B. Johnson's "Career Women for the Great Society"; this effort was so successful that Chicago Mayor Richard J. Daley asked her to direct the telephone bank for his third campaign for re-election; and

WHEREAS, She is a founding member of the South Side Community Art Center, the Metropolitan Council of Negro Women, and the Chicago Women's Division of the United Negro College Fund, and a charter member of the Bravo Chapter of the Lyric Opera, the Chicago Chapter of Girl Friends, and the North Shore Chapter of Links, Inc.; she is a member of Trinity Episcopal Church, several bridge clubs, and the Board of the City Associates of the Art Institute; and

WHEREAS, She has, at various times subsequent to her retirement, served on advisory committees for African-American Art at the Art Institute of Chicago, the Field Museum, and the Chicago Historical Society; and

WHEREAS, In 1993, Ms. Renfroe was elected to membership in the National Association for Female Executives, having opened her own art consulting firm, and is listed in both the first "Who's Who Among Black Americans" and the "International Who's Who of Professional and Business Women"; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Hazel Renfroe on reaching the distinguished mark of her 100th birthday, and we thank her for the incredible contributions she has made to the art community in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Ms. Renfroe as an expression of our deepest respect and esteem and with best wishes for a wonderful celebration in honor of her birthday.

HOUSE RESOLUTION 449

Offered by Representative Stephens:

WHEREAS, S. Watson Tidball of Greenville will celebrate his 80th birthday on July 7, 2005; and

WHEREAS, He has been and active citizen of Greenville and Bond County since 1947 when he came from Canada to Greenville as a student at Greenville College; and

WHEREAS, Dr. Tidball has been involved in the Chamber of Commerce, Commercial Club, the City Planning Commission, and has devoted hours of community service to the Bond County Senior Center, serving as secretary for a number of years; he has served as Master of Ceremonies for the Bond County Fair Beauty Pageant, entertained church and civic groups with his music and comedy routine, and has given travelogues of his many trips throughout the world; and

WHEREAS, He and his wife, Bonnie, have been tour guides for many local citizens on worldwide trips; he is a frequent Master of Ceremonies at Fair Oaks Nursing Home events and regularly visits the "elderly" in nursing homes in Greenville; he is a 1997 recipient of the Gerald Turley Memorial Award given by the Chamber of Commerce, and he received an honorary Doctorate of Public Service from Greenville College; he has been involved in countless other organizations and events too numerous to name; and

WHEREAS, All six of the Tidball children attended Bond County Community Unit #2 schools from kindergarten through high school and all graduated from Greenville College; and

WHEREAS, In addition to his work at Greenville College, Dr. Tidball has worked at the Donnell-Weigand Funeral Home for over 50 years as their accountant; he provides income tax services for a number of Greenville residents; he has assisted numerous elderly, single, and widowed persons in understanding their financial concerns; he provides "taxi" service for many people who need rides to the airport as well as to hospitals and doctor appointments in St. Louis and other cities; and

WHEREAS, He is also actively involved in his church; he has been a bell-ringer for the Salvation Army at Christmas time, and supported many fund raisers such as the fish fries at St. Lawrence Catholic Church, the pancake breakfasts for the Kiwanis, chili suppers for the Boy Scouts, and he made apple butter for the Hospital Bazaar; he is a regular volunteer at the office of Illinois State Senator Frank Watson; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dr. Watson Tidball on the occasion of his 80th birthday, and we thank him for his numerous contributions to his community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dr. Watson as an expression of our respect and esteem and with best wishes for many more happy birthdays.

HOUSE RESOLUTION 450

Offered by Representative Howard:

WHEREAS, The members of the Illinois House of Representatives of the State of Illinois were deeply saddened to learn of the death of Rev. Clarence Edward Stewart on May 10, 2005; and

WHEREAS, He was an evangelist and co-founder of Save the Seed Ministry; he was also a former real estate and insurance broker and had retired from the Illinois Department of Labor; and

WHEREAS, Rev. Clarence Edward Stewart was the beloved husband of the late Lois Lillian Greenlee Stewart; the adored father of Monica Faith, Angela Grace, Ruth Joy, Paul Edward, Samuel Clarence, Crystal Hope (deceased), David Lawrence, and Anthony Jonathan; and the cherished grandfather of twelve; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Rev. Clarence Edward Stewart and extend to his family and friends our thoughts and prayers during this difficult time; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our deepest sympathy.

HOUSE RESOLUTION 451

Offered by Representative Rose:

WHEREAS, Tom and Sonna Cain of Tolono started their Friends of Santa program to create holiday memories for area children who might not otherwise have Christmas; and

WHEREAS, The Cains have been providing happy memories for struggling families since they started the Friends of Santa operation out of their home in 1986; and

WHEREAS, This year will mark the 19th year that the Cains have devoted their own holiday season to making sure that all children in their community have presents to open on Christmas morning; and

WHEREAS, The operation has grown over the years; Friends of Santa now serves children in Tolono plus four additional communities; Mrs. Cain estimates that she has a team of about 200 volunteers helping with donations, shopping, wrapping, and sorting the gifts; groups from the Masonic Lodge in Tolono and the Pesotum and Tolono United Methodist churches have been especially helpful with the fundraising portion; the motorhome that serves as Santa's sleigh is donated by a friend, and Mr. Cain plays Santa; and

WHEREAS, In 1986, the Cains delivered Christmas presents to 56 children; in 2001, the Friends of Santa program delivered presents to 48 families, with a total of 120 children; while every child still receives toys, gifts of clothing and coats are provided to those families who need them; and

WHEREAS, The Cains are the parents of two boys; Mr. Cain has a real estate business, helps teach as a graduate assistant for Dale Carnegie Training, and is the local area's Chapter President of the Muscular Dystrophy Association; and

WHEREAS, The need for Friends of Santa never goes away, but neither do the memories that have been created over the years; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our sincere appreciation and heartfelt thanks to Tom and Sonna Cain for their Friends of Santa program and applaud their efforts, and those of the volunteers, in ensuring the continuation of this heartwarming event; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Tom and Sonna Cain as an expression of our utmost admiration.

HOUSE RESOLUTION 452

Offered by Representative Rose:

WHEREAS, Mayor Dan Cougill of the City of Charleston has retired after 12 years in office; and

WHEREAS, Mr. Cougill returned to his Charleston hometown in June 1992 with his wife, Sallie, after

retiring as an Air Force brigadier general; his Air Force service included assignments in Vietnam and Operation Desert Storm, where he was director of command and control communications for all U.S. and allied coalition forces; and

WHEREAS, He served three consecutive terms, with his tenure as mayor beginning in April 1993; on the campaign trail, he said the city needed a long-term plan for infrastructure improvements and economic development; his later efforts helped produce strategic and comprehensive plans for growth, followed by updates to the city's 34-year-old zoning ordinances and development regulations; he also moved Charleston into the city manager form of government, a change voters approved 3,808 to 2,287 in 1996; and

WHEREAS, He recognized the value in extending water and sewer lines to the Coles Business Park, building a new water tower and replacing the water treatment plant, opening the Woodyard Conservation Area along Illinois Route 130, expanding the Eastern Illinois University's Fine Arts Center, and developing the Lincoln-Douglas Debate Museum and the Kiwanis Park amphitheater, which he helped to construct; the amphitheater is home to the Charleston Community Band, in which he plays the tuba; and

WHEREAS, He brought an organized, detailed approach to government that he combined with a great work ethic; he was a particularly good planner and provided the city with considerable professionalism; his presence will be felt for many years through the wide-ranging actions that the city has taken during his tenure; and

WHEREAS, Mayor Cougill's accomplishments have earned him respect and admiration, and the citizens of Charleston are very appreciative of his service to the community; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we commend Mayor Dan Cougill for his many years of outstanding service and dedication to the City of Charleston; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mayor Dan Cougill as an expression of our esteem.

HOUSE RESOLUTION 453

Offered by Representative Munson:

WHEREAS, Karen Fox has been chosen as the 2005 Altrusa International Club of Elgin's Woman of the Year; and

WHEREAS, The club's 56th annual celebration and Woman of the Year program will be held on May 19, 2005, at Villa Olivia in Bartlett; and

WHEREAS, The award is given annually to a community woman who is not a member of Altrusa but who exemplifies the Altrusa keys of Amity, Loyalty, Talent, Reciprocity, Unity, Service, and Achievement; and

WHEREAS, In her professional and volunteer community service and leadership with School District U-46, Community Crisis Center, Elgin Sesquicentennial Commission, Y.W.C.A., McKinley School, and many other organizations, Karen Fox has truly exemplified the Altrusa keys; and

WHEREAS, Since September 2004, Ms. Fox has served as Special Projects Assistant to the Superintendent of School District U-46; from July 1, 1995 to September 2004, she served as Coordinator for Grants and School-Business Partnerships; and

WHEREAS, She graduated from Saybrook-Arrowsmith High School in 1968 and received a bachelor of science degree in education from Illinois State University in 1972 and a master of arts degree in literature from Northeastern Illinois University in 1978; and

WHEREAS, She has served as a fundraiser for a variety of community groups and has been a volunteer with numerous organizations, committees, and commissions over the years, such as the United Way, Elgin Area Historical Society, Y.W.C.A., Community Crisis Center, Elgin Chamber of Commerce, Elgin's All-America City Committee, the City of Elgin 150th Commemoration Commission, and the Fiesta Salsa Committee; she is also an author of three adult education publications; and

WHEREAS, She received the Illinois State University College of Education's Outstanding Service Award in 2004, the Club Guadalapano's Les Lemke Community Service Award in April 2000, and the Outstanding Young Woman of Elgin award in 1989 from the Elgin Junior Woman's Club; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Karen Fox for being chosen as the 2005 Altrusa International Club of Elgin's Woman of the Year and commend her for her many years of

exemplary community service; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Karen Fox as an expression of our admiration and esteem.

HOUSE RESOLUTION 454

Offered by Representative Pritchard:

WHEREAS, The education of children, the future of our country, is one of the most noble life pursuits an individual can choose; and

WHEREAS, Karen Breunig is retiring after 30 years of dedicated service in education; and

WHEREAS, She has taught at Nettle Creek since 1975 and is the Head Teacher of Erienna School; she was the 1998-1999 Outstanding Educator for Nettle Creek School and the 2000 Sandwich recipient of the Studs Terkel Humanitarian Award; and

WHEREAS, She was named Grand Lady of Newark on July 4, 2000, and was Newark's of the World Chairman in 1997; she was on the Sesquicentennial Committee for the Village of Newark in 1984 and 1985, for which she was an untiring Leadership Committee Chairman; she served as the Philanthropic Education Organization Treasurer from 2002 to 2004 and as the Charles B. Phillips Library Board Secretary from 2003 to 2005; she was the Sandwich Fair Association Gazebo Information Co-Chairman from 1993 to 2005 and the Sandwich Fair History Book Organizer in 2001; she has been the Christian Science Church Secretary and a Charles B. Phillips Library Volunteer for many years; and

WHEREAS, For the past 30 years, Ms. Breunig has been some one to count on; always there when students, other staff, her family, and committees needed her; she has inspired others to be better in their lives; throughout her career, she has come to be known as generous, kind, old-fashioned, independent, diplomatic, wise, humble, orderly, driven, a night-owl, and a loving spirit; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Karen Breunig on the occasion of her retirement after 30 years of dedicated service at Nettle Creek, and we honor her for her many accomplishments and devotion to community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Ms. Breunig as an expression of our deepest respect and esteem and with best wishes for a relaxing retirement.

HOUSE RESOLUTION 455

Offered by Representative Eddy:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with sadness of the death of Karyn Esta Grunloh of Altamont on Friday, April 22, 2005; and

WHEREAS, Mrs. Grunloh was born January 27, 1942, in Vandalia to Clayton and Esta Stroup Wallace; she married Lawrence R. "Larry" Grunloh on May 18, 1963, in St. Clare Catholic Church in Altamont; he preceded her in death on March 15, 1993; and

WHEREAS, She was a seventh-grade and eighth-grade literature teacher for Altamont Community Unit School District, where she worked since 1979 and was the district language arts curriculum coordinator for kindergarten through twelfth grade; she taught at St. Anthony's grade and high schools in Effingham from 1962 to 1979; she was an Illinois State Board of Education State English and Language Arts Writer/Consultant of Performance Descriptors/Assessment Tasks/Rubrics related to Illinois State Standards and Outcomes; and

WHEREAS, Mrs. Grunloh was a member of St. Clare Catholic Church and belonged to several professional organizations, including the National Road Reading Council (president), the East-Central EIU Reading Council (president), the Illinois Reading Council (Regional 6 Coordinator, Technology Coordinator, Board of Directors), the International Reading Council, the Illinois and National Whole Language Council, the Illinois Council of Affective Reading Education, the Association for Supervision and Curriculum Development, the Illinois Council of Teachers of English, the National Education Association, and the Illinois Education Association; and

WHEREAS, Mrs. Grunloh was honored for her work at the International Reading Convention in Las

Vegas, Nevada, when she was one of four recipients of the Community Service Award in 1991; she enjoyed spending time with family, working with students and teachers, coordinating programs, reading, antique shopping, community projects, and traveling; and

WHEREAS, The passing of Karen E. Grunloh has been deeply felt by many, especially her children, Lisa Smith and husband Scott and Cheri Hammer and husband Chris; her brothers, Gary Wallace and wife Janice and Ted Wallace and wife Sharon; her sister, Sue Ferrall and husband Eddie; her brother-in-law, Bob Grunloh and wife Terry; her sisters-in law, Theresa Weidman and husband Henry, Martha Cameron and husband Bill, Becky Ragan and husband Dave, Vera Tomlinson and husband Dale, and Doris Wallace; her grandson, Derek Smith; and her granddaughters, Myah Smith and Chrisha Hammer of Altamont; in addition to her husband, she was preceded in death by her parents; her brother, Robert Wallace; and her sister, Katie Ehlke; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Karyn E. Grunloh, and we extend our deepest sympathy to her family, friends, and all who knew and loved her; and be it further

RESOLVED, That a suitable copy of this resolution be presented to her family as an expression of our sincere condolences.

SENATE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Meyer, SENATE BILL 1221 was taken up and read by title a third time. Pending discussion, Representative Parke moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

74, Yeas; 34, Nays; 7, Answering Present.

(ROLL CALL 2)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Bellock, SENATE BILL 1235 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 3)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Washington, SENATE BILL 1461 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 4)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Meyer, SENATE BILL 1491 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

109, Yeas; 4, Nays; 2, Answering Present.

(ROLL CALL 5)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Mathias, SENATE BILL 1698 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Cross, SENATE BILL 1680 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 7)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Lang, SENATE BILL 1723 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 8)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative May, SENATE BILL 1734 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 9)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Miller, SENATE BILL 1751 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 10)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Jakobsson, SENATE BILL 1884 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 11)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Mathias, SENATE BILL 1907 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Miller, SENATE BILL 1931 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 1, Nays; 0, Answering Present.

(ROLL CALL 13)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

ACTION ON MOTIONS

Representative Black asked and obtained unanimous consent to table SENATE BILL 1639.

The motion prevailed.

SENATE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Black, SENATE BILL 1932 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 14)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Flider, SENATE BILL 1967 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 15)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Leitch, SENATE BILL 1986 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 16)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Reis, SENATE BILL 2032 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 1, Nays; 0, Answering Present.
(ROLL CALL 17)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Acevedo, SENATE BILL 2043 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 18)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Chapa LaVia, SENATE BILL 2060 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 19)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Brauer, SENATE BILL 2066 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 20)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative May, SENATE BILL 2091 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 21)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Moffitt, SENATE BILL 834 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 22)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Froehlich, SENATE BILL 767 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 23)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Pritchard, SENATE BILL 635 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 24)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Sacia, SENATE BILL 559 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 25)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Mathias, SENATE BILL 516 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 26)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Patterson, SENATE BILL 1752 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 27)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Mathias, SENATE BILL 477 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 28)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Feigenholtz, SENATE BILL 529 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 29)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Patterson, SENATE BILL 471 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 30)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Black, SENATE BILL 463 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 31)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Granberg, SENATE BILL 52 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

112, Yeas; 3, Nays; 0, Answering Present.

(ROLL CALL 32)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Fritchey, SENATE BILL 445 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 33)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Gordon, SENATE BILL 554 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

109, Yeas; 6, Nays; 0, Answering Present.

(ROLL CALL 34)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Gordon, SENATE BILL 849 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 35)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Turner, SENATE BILL 1443 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

75, Yeas; 37, Nays; 3, Answering Present.

(ROLL CALL 36)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Turner, SENATE BILL 1444 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

74, Yeas; 39, Nays; 2, Answering Present.

(ROLL CALL 37)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

SENATE BILLS ON SECOND READING

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 25.

SENATE BILL 46. Having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Local Government, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 46, on page 2, immediately below line 16, by inserting the following:

"(d) Nothing in this Section applies to any stairwell enclosure door that opens directly into a dwelling unit, provided the dwelling unit door has a self-closer, latch, and no self-locking hardware. Where all doors in the stairwell meet these criteria, the stairwell shall be provided with either a two-way communication system or readily operable windows on each landing or intermediate landing."; and

on page 2, line 17, by replacing "(d)" with "(e)"; and

on page 2, line 19, by replacing "(d)" with "(e)".

AMENDMENT NO. 2. Amend Senate Bill 46 on page 2, line 17, by replacing "A" with "Except as otherwise provided in subsection (e), a"; and

on page 2, immediately below line 22, by inserting the following:

"(e) This Section does not apply in a home rule municipality that, on or before January 1, 2005, has passed an ordinance regulating building access from stairwell enclosures in buildings that are more than 4 stories in height."

There being no further amendments, the foregoing Amendments numbered 1 and 2 were adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 49.

SENATE BILL 54. Having been read by title a second time on May 10, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Sullivan offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 54 on page 3, line 22, by replacing "purposes:" with "purposes on behalf of a unit of government:".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 61.

SENATE BILL 79. Having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 79 as follows:
in Section 5, in the introductory clause, by changing "21-30, and 21-310" to "and 21-30"; and
in Section 5, by deleting Sec. 21-310.

AMENDMENT NO. 2. Amend Senate Bill 79 on page 2, line 7, by replacing "60" with "180"; and
on page 4, line 5, by replacing "60" with "180"; and
on page 5, line 20, by replacing "60" with "180".

There being no further amendments, the foregoing Amendments numbered 1 and 2 were adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 66. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation and Motor Vehicles, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 66 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 4-203 as follows:

(625 ILCS 5/4-203) (from Ch. 95 1/2, par. 4-203)

Sec. 4-203. Removal of motor vehicles or other vehicles; Towing or hauling away.

(a) When a vehicle is abandoned, or left unattended, on a toll highway, interstate highway, or expressway for 2 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(b) When a vehicle is abandoned on a highway in an urban district 10 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(c) When a vehicle is abandoned or left unattended on a highway other than a toll highway, interstate highway, or expressway, outside of an urban district for 24 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(d) When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by a law enforcement agency having jurisdiction.

(e) Whenever a peace officer reasonably believes that a person under arrest for a violation of Section 11-501 of this Code or a similar provision of a local ordinance is likely, upon release, to commit a subsequent violation of Section 11-501, or a similar provision of a local ordinance, the arresting officer shall have the vehicle which the person was operating at the time of the arrest impounded for a period of not more than 12 hours after the time of arrest. However, such vehicle may be released by the arresting law enforcement agency prior to the end of the impoundment period if:

(1) the vehicle was not owned by the person under arrest, and the lawful owner requesting such release possesses a valid operator's license, proof of ownership, and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner, or who would otherwise, by operating such motor vehicle, be in violation of this Code; or

(2) the vehicle is owned by the person under arrest, and the person under arrest gives permission to another person to operate such vehicle, provided however, that the other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or who would otherwise, by operating such motor vehicle, be in violation of this Code.

(e-5) Whenever a registered owner of a vehicle is taken into custody for operating the vehicle in violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code, a law enforcement officer may have the vehicle immediately impounded for a period not less than:

(1) 24 hours for a second violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses; or

(2) 48 hours for a third violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses.

The vehicle may be released sooner if the vehicle is owned by the person under arrest and the person under arrest gives permission to another person to operate the vehicle and that other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or would otherwise, by operating the motor vehicle, be in violation of this Code.

(f) Except as provided in Chapter 18a of this Code, the owner or lessor of privately owned real property within this State, or any person authorized by such owner or lessor, or any law enforcement agency in the case of publicly owned real property may cause any motor vehicle abandoned or left unattended upon such property without permission to be removed by a towing service without liability for the costs of removal, transportation or storage or damage caused by such removal, transportation or storage. The towing or removal of any vehicle from private property without the consent of the registered owner or other legally authorized person in control of the vehicle is subject to compliance with the following conditions and restrictions:

1. Any towed or removed vehicle must be stored at the site of the towing service's place of business. The site must be open during business hours, and for the purpose of redemption of vehicles, during the time that the person or firm towing such vehicle is open for towing purposes.

2. The towing service shall within 30 minutes of completion of such towing or removal, notify the law enforcement agency having jurisdiction of such towing or removal, and the make, model, color and license plate number of the vehicle, and shall obtain and record the name of the person at the law enforcement agency to whom such information was reported.

3. If the registered owner or legally authorized person entitled to possession of the vehicle shall arrive at the scene prior to actual removal or towing of the vehicle, the vehicle shall be disconnected from the tow truck and that person shall be allowed to remove the vehicle without interference, upon the payment of a reasonable service fee of not more than one half the posted rate of the towing service as provided in paragraph 6 of this subsection, for which a receipt shall be given.

4. The rebate or payment of money or any other valuable consideration from the towing service or its owners, managers or employees to the owners or operators of the premises from which the vehicles are towed or removed, for the privilege of removing or towing those vehicles, is prohibited. Any individual who violates this paragraph shall be guilty of a Class A misdemeanor.

5. Except for property appurtenant to and obviously a part of a single family residence,

and except for instances where notice is personally given to the owner or other legally authorized person in control of the vehicle that the area in which that vehicle is parked is reserved or otherwise unavailable to unauthorized vehicles and they are subject to being removed at the owner or operator's expense, any property owner or lessor, prior to towing or removing any vehicle from private property without the consent of the owner or other legally authorized person in control of that vehicle, must post a notice meeting the following requirements:

a. The notice must be prominently placed at each driveway access or curb cut allowing vehicular access to the property within 5 feet from the public right-of-way line. If there are no curbs or access barriers, the sign must be posted not less than one sign each 100 feet of lot frontage.

b. The notice must indicate clearly, in not less than 2 inch high light-reflective letters on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense.

c. The notice must also provide the name and current telephone number of the towing service towing or removing the vehicle.

d. The sign structure containing the required notices must be permanently installed with the bottom of the sign not less than 4 feet above ground level, and must be continuously maintained on the property for not less than 24 hours prior to the towing or removing of any vehicle.

6. Any towing service that tows or removes vehicles and proposes to require the owner, operator, or person in control of the vehicle to pay the costs of towing and storage prior to redemption of the vehicle must file and keep on record with the local law enforcement agency a complete copy of the current rates to be charged for such services, and post at the storage site an identical rate schedule and any written contracts with property owners, lessors, or persons in control of property which authorize them to remove vehicles as provided in this Section.

7. No person shall engage in the removal of vehicles from private property as described in this Section without filing a notice of intent in each community where he intends to do such removal, and such notice shall be filed at least 7 days before commencing such towing.

8. No removal of a vehicle from private property shall be done except upon express written instructions of the owners or persons in charge of the private property upon which the vehicle is said to be trespassing.

9. Vehicle entry for the purpose of removal shall be allowed with reasonable care on the part of the person or firm towing the vehicle. Such person or firm shall be liable for any damages occasioned to the vehicle if such entry is not in accordance with the standards of reasonable care.

10. When a vehicle has been towed or removed pursuant to this Section, it must be released to its owner or custodian within one half hour after requested, if such request is made during business hours. Any vehicle owner or custodian or agent shall have the right to inspect the vehicle before accepting its return, and no release or waiver of any kind which would release the towing service from liability for damages incurred during the towing and storage may be required from any vehicle owner or other legally authorized person as a condition of release of the vehicle. A detailed, signed receipt showing the legal name of the towing service must be given to the person paying towing or storage charges at the time of payment, whether requested or not.

This Section shall not apply to law enforcement, firefighting, rescue, ambulance, or other emergency vehicles which are marked as such or to property owned by any governmental entity.

When an authorized person improperly causes a motor vehicle to be removed, such person shall be liable to the owner or lessee of the vehicle for the cost or removal, transportation and storage, any damages resulting from the removal, transportation and storage, attorney's fee and court costs.

Any towing or storage charges accrued shall be payable by the use of any major credit card, in addition to being payable in cash.

11. Towing companies shall also provide insurance coverage for areas where vehicles towed under the provisions of this Chapter will be impounded or otherwise stored, and shall adequately cover loss by fire, theft or other risks.

Any person who fails to comply with the conditions and restrictions of this subsection shall be guilty of a Class C misdemeanor and shall be fined not less than \$100 nor more than \$500.

(g) When a vehicle is determined to be a hazardous dilapidated motor vehicle pursuant to Section 11-40-3.1 of the Illinois Municipal Code, its removal and impoundment by a towing service may be authorized by a law enforcement agency with appropriate jurisdiction.

When a vehicle removal from either public or private property is authorized by a law enforcement agency, the owner of the vehicle shall be responsible for all towing and storage charges.

Vehicles removed from public or private property and stored by a commercial vehicle relocater or any other towing service in compliance with this Section and Sections 4-201 and 4-202 of this Code, or at the request of the vehicle owner or operator, shall be subject to a possessor lien for services pursuant to the Labor and Storage Lien (Small Amount) Act. ~~"An Act concerning liens for labor, services, skill or materials furnished upon or storage furnished for chattels"~~, filed July 24, 1941, as amended, and The provisions of Section 1 of that Act relating to notice and implied consent shall be deemed satisfied by compliance with Section 18a-302 and subsection (6) of Section 18a-300. In no event shall such lien be greater than the rate or rates established in accordance with subsection (6) of Section 18a-200 of this Code. In no event shall such lien be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Act. Every such lien shall be payable by use of any major credit card, in addition to being payable in cash.

Any personal property in a vehicle subject to a lien under this subsection (g) shall likewise be subject to that lien, excepting only: food; medicine; perishable property; any operator's licenses; any cash, credit cards, or checks or checkbooks; and any wallet, purse, or other property containing any operator's license or other identifying documents or materials, cash, credit cards, checks, or checkbooks.

No lien under this subsection (g) shall: exceed \$2,000 in its total amount; or be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Act.

(Source: P.A. 90-738, eff. 1-1-99.)

Section 99. Effective date. This Act takes effect upon becoming law."

Representative Black offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend Senate Bill 66, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 8, line 7, after "property", by inserting "belonging to the vehicle owner".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 98. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 98 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Sections 602 and 602.1 and by adding Section 601.5 as follows:

(750 ILCS 5/601.5 new)

Sec. 601.5. Training. The Supreme Court of Illinois, through its Administrative Office of the Illinois Courts, shall approve 3 hours of training for guardian ad litem appointed under Section 601 of this Act, professional personnel appointed under Section 604 of this Act, evaluators appointed under Section 604.5 of this Act, and investigators appointed under Section 605 of this Act. This training shall include a component on the dynamics of domestic violence and its effect on parents and children.

(750 ILCS 5/602) (from Ch. 40, par. 602)

Sec. 602. Best Interest of Child.

(a) The court shall determine custody in accordance with the best interest of the child. The court shall consider all relevant factors including:

- (1) the wishes of the child's parent or parents as to his custody;
- (2) the wishes of the child as to his custodian;
- (3) the interaction and interrelationship of the child with his parent or parents, his siblings and any other person who may significantly affect the child's best interest;
- (4) the child's adjustment to his home, school and community;
- (5) the mental and physical health of all individuals involved;
- (6) the physical violence or threat of physical violence by the child's potential

custodian, whether directed against the child or directed against another person;

(7) the occurrence of ongoing or repeated abuse as defined in Section 103 of the Illinois Domestic Violence Act of 1986, whether directed against the child or directed against another person; and

(8) the willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child.

In the case of a custody proceeding in which a stepparent has standing under Section 601, it is presumed to be in the best interest of the minor child that the natural parent have the custody of the minor child unless the presumption is rebutted by the stepparent.

(b) The court shall not consider conduct of a present or proposed custodian that does not affect his relationship to the child.

(c) Unless the court finds the occurrence of ongoing abuse as defined in Section 103 of the Illinois Domestic Violence Act of 1986, the court shall presume that the maximum involvement and cooperation of both parents regarding the physical, mental, moral, and emotional well-being of their child is in the best interest of the child. There shall be no presumption in favor of or against joint custody.

(Source: P.A. 90-782, eff. 8-14-98.)

(750 ILCS 5/602.1) (from Ch. 40, par. 602.1)

Sec. 602.1. (a) The dissolution of marriage, the declaration of invalidity of marriage, the legal separation of the parents, or the parents living separate and apart shall not diminish parental powers, rights, and responsibilities except as the court for good reason may determine under the standards of Section 602.

(b) Upon the application of either or both parents, or upon its own motion, the court shall consider an award of joint custody. Joint custody means custody determined pursuant to a Joint Parenting Agreement or a Joint Parenting Order. In such cases, the court shall initially request the parents to produce a Joint Parenting Agreement. Such Agreement shall specify each parent's powers, rights and responsibilities for the personal care of the child and for major decisions such as education, health care, and religious training. The Agreement shall further specify a procedure by which proposed changes, disputes and alleged breaches may be mediated or otherwise resolved and shall provide for a periodic review of its terms by the parents. In producing a Joint Parenting Agreement, the parents shall be flexible in arriving at resolutions which further the policy of this State as expressed in Sections 102 and 602. For the purpose of assisting the court in making a determination whether an award of joint custody is appropriate, the court may order mediation and may direct that an investigation be conducted pursuant to the provisions of Section 605. If there is a danger to the health or safety of a partner, joint mediation shall not be required by the court. In the event the parents fail to produce a Joint Parenting Agreement, the court may enter an appropriate Joint Parenting Order under the standards of Section 602 which shall specify and contain the same elements as a Joint Parenting Agreement, or it may award sole custody under the standards of Sections 602, 607, and 608.

(c) The court may enter an order of joint custody if it determines that joint custody would be in the best interests of the child, taking into account the following:

(1) the ability of the parents to cooperate effectively and consistently in matters

that directly affect the joint parenting of the child. "Ability of the parents to cooperate" means the parents' capacity to substantially comply with a Joint Parenting Order. The court shall not consider the inability of the parents to cooperate effectively and consistently in matters that do not directly affect the joint parenting of the child;

(2) The residential circumstances of each parent; and

(3) all other factors which may be relevant to the best interest of the child.

(d) Nothing within this section shall imply or presume that joint custody shall necessarily mean equal parenting time. The physical residence of the child in joint custodial situations shall be determined by:

(1) express agreement of the parties; or

(2) order of the court under the standards of this Section.

(e) Notwithstanding any other provision of law, access to records and information pertaining to a child, including but not limited to medical, dental, child care and school records, shall not be denied to a parent for the reason that such parent is not the child's custodial parent; however, no parent shall have access to the school records of a child if the parent is prohibited by an order of protection from inspecting or obtaining such records pursuant to the Illinois Domestic Violence Act of 1986, as now or hereafter amended.

(Source: P.A. 88-409.)

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was held on the order of Second Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 102.

SENATE BILL 139. Having been recalled on May 11, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Saviano offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend Senate Bill 139 on page 4, line 4, after "hospital", by inserting "or ambulatory surgical treatment center"; and on page 12, line 8, by replacing "registered" with "licensed".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was adopted and the bill, as amended, was again advanced to the order of Third Reading.

Having been read by title a second time on May 17, 2005 and held, the following bill was taken up and held on the order of Second Reading: SENATE BILL 158.

SENATE BILL 210. Having been recalled on May 3, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Froehlich offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 210 on page 1, line 15, after "vehicle", by inserting "on a roadway".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was again advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 233.

SENATE BILL 241. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment & Energy, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 241 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 58.8 and by adding Sections 22.2d, 22.50, and Title VI-D as follows:

(415 ILCS 5/22.2d new)

Sec. 22.2d. Authority of Director to issue orders.

(a) The purpose of this Section is to allow the Director to quickly and effectively respond to a release or substantial threat of a release of a hazardous substance, pesticide, or petroleum for which the Agency is required to give notice under Section 25d-3(a) of this Act by authorizing the Director to issue orders, unilaterally or on consent, requiring appropriate response actions and by providing for the exclusive

administrative and judicial review of these orders. This Section is also intended to allow persons subject to an order under this Section to recover the costs of complying with the order if it is overturned or if they remediate the share of a release or threat of a release for which a bankrupt or insolvent party is liable under this Act.

(b) In addition to any other action taken by federal, State, or local government, for any release or substantial threat of release for which the Agency is required to give notice under Section 25d-3(a) of this Act, the Director may issue to any person who is potentially liable under this Act for the release or substantial threat of release any order that may be necessary to protect the public health and welfare and the environment.

(1) Any order issued under this Section shall require response actions consistent with the federal regulations and amendments thereto promulgated by the United States Environmental Protection Agency to implement Section 105 of CERCLA, as amended, except that the remediation objectives for response actions ordered under this Section shall be determined in accordance with the risk-based remediation objectives adopted by the Board under Title XVII of this Act.

(2) Before the Director issues any order under this Section, the Agency shall send a Special Notice Letter to all persons identified by the Agency as potentially liable under this Act for the release or threat of release. This Special Notice Letter to the recipients shall include at a minimum the following information:

(A) that the Agency believes the recipient may be liable under the Act for responding to the release or threat of a release;

(B) the reasons why the Agency believes the recipient may be liable under the Act for the release or threat of a release; and

(C) the period of time, not less than 30 days from the date of issuance of the Special Notice Letter, during which the Agency is ready to negotiate with the recipient regarding their response to the release or threat of a release.

(3) To encourage the prompt negotiation of a settlement agreement or an order on consent with a recipient of a Special Notice Letter required under this Section, the Director shall not issue any unilateral order under this Section to the recipient during the 30 days immediately following the date of issuance of the Special Notice Letter.

(c) (1) The recipient of a unilateral order issued by the Director under this Section may petition the Board for a hearing on the order within 35 days after being served with the order. The Board shall take final action on the petition within 60 days after the date the petition is filed with the Board unless all parties to the proceeding agree to the extension. If necessary to expedite the hearing and decision, the Board may hold special meetings of the Board and may provide for alternative public notice of the hearing and meeting, other than as otherwise required by law. In any hearing on the order the Agency shall have the burden of proof to establish that the petitioner is liable under this Act for the release or threat of release and that the actions required by the order are consistent with the requirements of subsection (b)(1) of this Section. The Board shall sustain the order if the petitioner is liable under this Act for the release or threat of release and to the extent the actions ordered are consistent with the requirements of subsection (b)(1) of this Section and are not otherwise unreasonable under the circumstances.

(A) The order issued by the Agency shall remain in full force and effect pending the Board's final action on the petition for review of the order, provided that the Board may grant a stay of all or a portion of the order if it finds that (i) there is a substantial likelihood that the petitioner is not liable under this Act for the release or threat of release or (ii) there is a substantial likelihood that the actions required by the order are not consistent with the requirements of subsection (b)(1) of this Section and that the harm to the public from a stay of the order will be outweighed by the harm to the petitioner if a stay is not granted. Any stay granted by the Board under this subsection (c)(1)(A) shall expire upon the Board's issuance of its final action on the petition for review of the order.

(B) If the Board finds that the petitioner is not liable under this Act for the release or threat of release it may authorize the payment of (i) all reasonable response costs incurred by the petitioner to comply with the order if it finds the petitioner's actions were consistent with the requirements of subsection (b)(1) of this Section and (ii) the petitioner's reasonable and appropriate costs, fees, and expenses incurred in petitioning the Board for review of the order, including, but not limited to, reasonable attorneys' fees and expenses.

(2) Any party to a Board hearing under this subsection (c) may obtain judicial review, by filing a petition for review within 35 days from the date that a copy of the Board's final action sought to be reviewed was served upon the party affected by the final Board action complained of, under the provisions of the Administrative Review Law and the rules adopted pursuant thereto, except that the review shall be afforded in the appellate court for the district in which the cause of action arose and not in the circuit court. The

appellate court shall retain jurisdiction during the pendency of any further action conducted by the Board under an order by the appellate court. The appellate court shall have jurisdiction to review all issues of law and fact presented upon appeal.

(A) The order issued by the Agency shall remain in full force and effect pending the appellate court's ruling on the order, provided that the appellate court may grant a stay of all or a portion of the order if it finds that (i) there is a substantial likelihood that the petitioner is not liable under this Act for the release or threat of release or (ii) there is a substantial likelihood that the actions required by the order are not consistent with the requirements of subsection (b)(1) of this Section and that the harm to the public from a stay of the order will be outweighed by the harm to the petitioner if a stay is not granted. Any stay granted by the appellate court under this subsection (c)(2)(A) shall expire upon the issuance of the appellate court's ruling on the appeal of the Board's final action.

(B) If the appellate court finds that the petitioner is not liable under this Act for the release or threat of release it may authorize the payment of (i) all reasonable response costs incurred by the petitioner to comply with the order if it finds that the petitioner's actions were consistent with the requirements of subsection (b)(1) of this Section and (ii) the petitioner's reasonable and appropriate costs, fees, and expenses incurred in petitioning the Appellate Court for review of the order, including, but not limited to, reasonable attorneys' fees and expenses.

(d) Any person who receives and complies with the terms of any order issued under this Section may, within 60 days after completion of the required action, petition the Director for reimbursement for the reasonable costs of that action, plus interest, subject to all of the following terms and conditions:

(1) The interest payable under this subsection accrues on the amounts expended from the date of expenditure to the date of payment of reimbursement at the rate set forth in Section 3-2 of the Uniform Penalty and Interest Act.

(2) If the Director refuses to grant all or part of a petition made under this subsection, the petitioner may, within 35 days after receipt of the refusal, file a petition with the Board seeking reimbursement.

(3) To obtain reimbursement, the petitioner must establish, by a preponderance of the evidence, that:

(A) the only costs for which the petitioner seeks reimbursement are costs incurred by the petitioner in remediating the share of a release or threat of a release for which a bankrupt or insolvent party is liable under this Act, the costs of the share are a fair and accurate apportionment among the persons potentially liable under this Act for the release or threat of a release, and the bankrupt or insolvent party failed to pay the costs of the share; and

(B) the petitioner's response actions were consistent with the federal regulations and amendments thereto promulgated by the Administrator of the United States Environmental Protection Agency to implement Section 105 of CERCLA, as amended, except that the remediation objectives for response actions shall be determined in accordance with the risk-based remediation objectives adopted by the Board under Title XVII of this Act; and

(C) the costs for which the petitioner seeks reimbursement are reasonable in light of the action required by the relevant order.

(4) Reimbursement awarded by the Board under item (3) of subsection (d) may include appropriate costs, fees, and other expenses incurred in petitioning the Director or Board for reimbursement under subsection (d), including, but not limited to, reasonable fees and expenses of attorneys.

(5) Costs paid to a petitioner under a policy of insurance, another written agreement, or a court order are not eligible for payment under this subsection (d). A petitioner who receives payment under a policy of insurance, another written agreement, or a court order shall reimburse the State to the extent that such payment covers costs for which payment was received under this subsection (d). Any monies received by the State under this item (5) shall be deposited into the Hazardous Waste Fund.

(e) Except as otherwise provided in subsection (c) of this Section, no court nor the Board has jurisdiction to review any order issued under this Section or any administrative or judicial action related to the order.

(f) Except as provided in subsection (g) of this Section, any person may seek contribution from any other person who is liable for the costs of response actions under this Section. In resolving contribution claims, the Board or court may allocate response costs among liable parties using such equitable factors as the court determines are appropriate.

(g) A person who has complied with an order under this Section and has resolved their liability under this Act with respect to the release or threat of a release shall not be liable for claims for contribution relating to the release or threat of a release.

(h) The provisions of Section 58.9 of this Act do not apply to any action taken under this Section.

(i) This Section does not apply to releases or threats of releases from underground storage tanks subject

to Title XVI of this Act. Orders issued by the Agency in response to such releases or threats of releases shall be issued under Section 57.12(d) of this Act instead of this Section, and the costs of complying with said orders shall be reimbursed in accordance with Title XVI of this Act instead of this Section.

(j) Any person who, without sufficient cause, willfully violates or fails or refuses to comply with any order issued under this Section is in violation of this Act.

(k) The Agency may adopt rules as necessary for the implementation of this Section.

(415 ILCS 5/22.50 new)

Sec. 22.50. Compliance with land use limitations. No person shall use, or cause or allow the use of, any site for which a land use limitation has been imposed under this Act in a manner inconsistent with the land use limitation unless further investigation or remedial action has been conducted that documents the attainment of remedial objectives appropriate for the new land use and a new closure letter has been obtained from the Agency and recorded in the chain of title for the site. For the purpose of this Section, the term "land use limitation" shall include, but shall not be limited to, institutional controls and engineered barriers imposed under this Act and the regulations adopted under this Act. For the purposes of this Section, the term "closure letter" shall include, but shall not be limited to, No Further Remediation Letters issued under Titles XVI and XVII of this Act and the regulations adopted under those Titles.

(415 ILCS 5/Title VI-D heading new)

RIGHT-TO-KNOW

(415 ILCS 5/25d-1 new)

Sec. 25d-1. Definitions. For the purposes of this Title, the terms "community water system", "non-community water system", "potable", "private water system", and "semi-private water system" have the meanings ascribed to them in the Illinois Groundwater Protection Act.

(415 ILCS 5/25d-2 new)

Sec. 25d-2. Contaminant evaluation. The Agency shall evaluate releases of contaminants whenever it determines that the extent of soil or groundwater contamination may extend beyond the boundary of the site where the release occurred. The Agency shall take appropriate actions in response to the release, which may include, but shall not be limited to, public notices, investigations, administrative orders under Sections 22.2d or 57.12(d) of this Act, and enforcement referrals. Except as provided in Section 25d-3 of this Act, for releases undergoing investigation or remediation under Agency oversight the Agency may determine that no further action is necessary to comply with this Section.

(415 ILCS 5/25d-3 new)

Sec. 25d-3. Notices.

(a) Beginning January 1, 2006, if the Agency determines that:

(1) Soil contamination beyond the boundary of the site where the release occurred poses a threat of exposure to the public above the appropriate Tier 1 remediation objectives, based on the current use of the off-site property, adopted by the Board under Title XVII of this Act, the Agency shall give notice of the threat to the owner of the contaminated property; or

(2) Groundwater contamination poses a threat of exposure to the public above the Class I groundwater quality standards adopted by the Board under this Act and the Groundwater Protection Act, the Agency shall give notice of the threat to the following:

(A) for any private, semi-private, or non-community water system, the owners of the properties served by the system; and

(B) for any community water system, the owners and operators of the system.

The Agency's determination must be based on the credible, scientific information available to it, and the Agency is not required to perform additional investigations or studies beyond those required by applicable federal or State laws.

(b) Beginning January 1, 2006, if any of the following actions occur: (i) the Agency refers a matter for enforcement under Section 43(a) of this Act; (ii) the Agency issues a seal order under Section 34(a) of this Act; or (iii) the Agency, the United States Environmental Protection Agency (USEPA), or a third party under Agency or USEPA oversight performs an immediate removal under the federal Comprehensive Environmental Response, Compensation, and Liability Act, as amended, then, within 60 days after the action, the Agency must give notice of the action to the owners of all property within 2,500 feet of the subject contamination or any closer or farther distance that the Agency deems appropriate under the circumstances. Within 30 days after a request by the Agency, the appropriate officials of the county in which the property is located must provide to the Agency the names and addresses of all property owners to whom the Agency is required to give notice under this subsection (b), these owners being the persons or entities that appear from the authentic tax records of the county.

(c) The methods by which the Agency gives the notices required under this Section shall be determined in consultation with members of the public and appropriate members of the regulated community and may include, but shall not be limited to, personal notification, public meetings, signs, electronic notification, and print media. For sites at which a responsible party has implemented a community relations plan, the Agency may allow the responsible party to provide Agency-approved notices in lieu of the notices required to be given by the Agency. Notices issued under this Section may contain the following information:

(1) the name and address of the site or facility where the release occurred or is suspected to have occurred;

(2) the identification of the contaminant released or suspected to have been released;

(3) information as to whether the contaminant was released or suspected to have been released into the air, land, or water;

(4) a brief description of the potential adverse health effects posed by the contaminant;

(5) a recommendation that water systems with wells impacted or potentially impacted by the contaminant be appropriately tested; and

(6) the name, business address, and phone number of persons at the Agency from whom additional information about the release or suspected release can be obtained.

(d) Any person who is a responsible party with respect to the release or substantial threat of release for which notice is given under this Section is liable for all reasonable costs incurred by the State in giving the notice. All moneys received by the State under this subsection (d) for costs related to releases and substantial threats of releases of hazardous substances, pesticides, and petroleum other than releases and substantial threats of releases of petroleum from underground storage tanks subject to Title XVI of this Act must be deposited in and used for purposes consistent with the Hazardous Waste Fund. All moneys received by the State under this subsection (d) for costs related to releases and substantial threats of releases of petroleum from underground storage tanks subject to Title XVI of this Act must be deposited in and used for purposes consistent with the Underground Storage Tank Fund.

(415 ILCS 5/25d-4 new)

Sec. 25d-4. Agency authority. Whenever the Agency determines that a public notice should be issued under this Title, the Agency has the authority to issue an information demand letter to the owner or operator of the site or facility where the release occurred or is suspected to have occurred that requires the owner or operator to provide the Agency with the information necessary, to the extent practicable, to give the notices required under Section 25d-3 of this Title. In the case of a release or suspected release from an underground storage tank subject to Title XVI of this Act, the Agency has the authority to issue such a letter to the owner or operator of the underground storage tank. Within 30 days after the issuance of a letter under this Section, or within a greater period specified by the Agency, the person who receives the letter shall provide the Agency with the required information. Any person who, without sufficient cause, willfully violates, or fails or refuses to comply with, any letter issued under this Section is in violation of this Act.

(415 ILCS 5/25d-5 new)

Sec. 25d-5. Contamination information. Beginning July 1, 2006, the Agency shall make all of the following information available on the Internet:

(i) Copies of all notifications given under Section 25d-3 of this Section. The copies must be indexed and the index shall, at a minimum, be searchable by notification date, zip code, site or facility name, and geographic location.

(ii) Appropriate Agency databases containing information about releases or suspected releases of contaminants in the State. The databases must, at a minimum, be searchable by notification date, zip code, site or facility name, and geographic location.

(iii) Links to appropriate USEPA databases containing information about releases or suspected releases of contaminants in the State.

(415 ILCS 5/25d-6 new)

Sec. 25d-6. Agency coordination. Beginning January 1, 2006, the Agency shall coordinate with the Department of Public Health to provide training to regional and local health department staff on the use of the information posted on the Internet under Section 25d-5 of this Title. Also beginning January 1, 2006, the Agency shall coordinate with the Department of Public Health to provide training to licensed water well drillers on the use of the information posted on the Internet under Section 25d-5 of this Title in relation to the location and installation of new wells serving private, semi-private, and non-community water systems.

(415 ILCS 5/25d-7 new)

Sec. 25d-7. Rulemaking.

(a) Within 180 days after the effective date of this amendatory Act of the 94th General Assembly, the

Agency shall evaluate the Board's rules and propose amendments to the rules as necessary to require potable water supply well surveys and community relations activities where such surveys and activities are appropriate in response to releases of contaminants that have impacted or that may impact offsite potable water supply wells. Within 240 days after receiving the Agency's proposal, the Board shall amend its rules as necessary to require potable water supply well surveys and community relations activities where such surveys and activities are appropriate in response to releases of contaminants that have impacted or that may impact offsite potable water supply wells. Community relations activities required by the Board shall include, but shall not be limited to, submitting a community relations plan for Agency approval, maintaining a public information repository that contains timely information about the actions being taken in response to a release, and maintaining dialogue with the community through means such as public meetings, fact sheets, and community advisory groups.

(b) The Agency shall adopt rules setting forth costs for which persons may be liable to the State under Section 25d-3(d) of this Act. In addition, the Agency shall have the authority to adopt other rules as necessary for the administration of this Title.

(415 ILCS 5/25d-8 new)

Sec. 25d-8. Liability. Except for willful and wanton misconduct, neither the State, the Director, nor any State employee shall be liable for any damages or injuries arising out of or resulting from any act or omission occurring under this amendatory Act of the 94th General Assembly.

(415 ILCS 5/25d-9 new)

Sec. 25d-9. Admissibility. The Agency's giving of notice or failure to give notice under Section 25d-3 of this Title shall not be admissible for any purpose in any administrative or judicial proceeding.

(415 ILCS 5/25d-10 new)

Sec. 25d-10. Avoiding duplication. The Agency shall take whatever steps it deems necessary to eliminate the potential for duplicative notices required by this Title and Section 9.1 of the Illinois Groundwater Protection Act.

(415 ILCS 5/58.8)

Sec. 58.8. Duty to record.

(a) The RA receiving a No Further Remediation Letter from the Agency pursuant to Section 58.10, shall submit the letter to the Office of the Recorder or the Registrar of Titles of the county in which the site is located within 45 days of receipt of the letter. The Office of the Recorder or the Registrar of Titles shall accept and record that letter in accordance with Illinois law so that it forms a permanent part of the chain of title for the site.

(b) A No Further Remediation Letter shall not become effective until officially recorded in accordance with subsection (a) of this Section. The RA shall obtain and submit to the Agency a certified copy of the No Further Remediation Letter as recorded.

~~(c) (Blank). At no time shall any site for which a land use limitation has been imposed as a result of remediation activities under this Title be used in a manner inconsistent with the land use limitation unless further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use and a new No Further Remediation Letter obtained and recorded in accordance with this Title.~~

(d) In the event that a No Further Remediation Letter issues by operation of law pursuant to Section 58.10, the RA may, for purposes of this Section, file an affidavit stating that the letter issued by operation of law. Upon receipt of the No Further Remediation Letter from the Agency, the RA shall comply with the requirements of subsections (a) and (b) of this Section.

(Source: P.A. 92-574, eff. 6-26-02.)

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 283 and 288.

SENATE BILL 309. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 309 as follows:
on page 2, by replacing lines 18 through 27 with the following:

"Purchaser or Assignee

Dated (insert date)."; and

on page 4, by replacing lines deleting lines 23 through 30 with the following;

"Purchaser or Assignee.

Dated (insert date).

".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 327 and 341.

SENATE BILL 383. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 383 as follows:
on page 1, line 4, after "by" by inserting "changing Sections 2-3.12, 3-14.20, and 3-14.21 and by"; and
on page 1, line 5, by deleting "and changing Section 3-14.20"; and
on page 1, immediately below line 5, by inserting the following:

"(105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)

Sec. 2-3.12. School building code. To prepare for school boards with the advice of the Department of Public Health, the Capital Development Board, and the State Fire Marshal a school building code that will conserve the health and safety and general welfare of the pupils and school personnel and others who use public school facilities.

The document known as "Efficient and Adequate Standards for the Construction of Schools" applies only to temporary school facilities, new school buildings, and additions to existing schools whose construction contracts are awarded after July 1, 1965. On or before July 1, 1967, each school board shall have its school district buildings that were constructed prior to January 1, 1955, surveyed by an architect or engineer licensed in the State of Illinois as to minimum standards necessary to conserve the health and safety of the pupils enrolled in the school buildings of the district. Buildings constructed between January 1, 1955 and July 1, 1965, not owned by the State of Illinois, shall be surveyed by an architect or engineer licensed in the State of Illinois beginning 10 years after acceptance of the completed building by the school board. Buildings constructed between January 1, 1955 and July 1, 1955 and previously exempt under the provisions of Section 35-27 shall be surveyed prior to July 1, 1977 by an architect or engineer licensed in the State of Illinois. The architect or engineer, using the document known as "Building Specifications for Health and Safety in Public Schools" as a guide, shall make a report of the findings of the survey to the school board, giving priority in that report to fire safety problems and recommendations thereon if any such problems exist. The school board of each district so surveyed and receiving a report of needed recommendations to be made to improve standards of safety and health of the pupils enrolled has until July 1, 1970, or in case of buildings not owned by the State of Illinois and completed between January 1, 1955 and July 1, 1965 or in the case of buildings previously exempt under the provisions of Section 35-27 has a period of 3 years after the survey is commenced, to effectuate those recommendations, giving first attention to the recommendations in the survey report having priority status, and is authorized to levy the tax provided for in Section 17-2.11, according to the provisions of that Section, to make such improvements. School boards unable to effectuate those recommendations prior to July 1, 1970, on July 1, 1980 in the case of buildings previously exempt under the provisions of Section 35-27, may petition the State Superintendent of Education upon the recommendation of the Regional Superintendent for an extension of time. The extension of time may be granted by the State Superintendent of Education for a period of one year, but may be extended from year to year provided substantial progress, in the opinion of the State Superintendent of Education, is being made toward compliance. ~~However, for fire protection issues, only~~

~~one one year extension may be made, and no other provision of this Code or an applicable code may supersede this requirement.~~ For routine inspections, the State Fire Marshal or a qualified fire official to whom the State Fire Marshal has delegated his or her authority ~~officials~~ shall notify the Regional Superintendent, the district superintendent, and provide written notice to the principal of the school in advance to schedule a mutually agreed upon time for the fire safety check. However, no more than 2 routine inspections may be made in a calendar year.

Within 2 years after the effective date of this amendatory Act of 1983, and every 10 years thereafter, or at such other times as the State Board of Education deems necessary or the regional superintendent so orders, each school board subject to the provisions of this Section shall again survey its school buildings and effectuate any recommendations in accordance with the procedures set forth herein. An architect or engineer licensed in the State of Illinois is required to conduct the surveys under the provisions of this Section and shall make a report of the findings of the survey titled "safety survey report" to the school board. The school board shall approve the safety survey report, including any recommendations to effectuate compliance with the code, and submit it to the Regional Superintendent. The Regional Superintendent shall render a decision regarding approval or denial and submit the safety survey report to the State Superintendent of Education. The State Superintendent of Education shall approve or deny the report including recommendations to effectuate compliance with the code and, if approved, issue a certificate of approval. Upon receipt of the certificate of approval, the Regional Superintendent shall issue an order to effect any approved recommendations included in the report. Items in the report shall be prioritized. Urgent items shall be considered as those items related to life safety problems that present an immediate hazard to the safety of students. Required items shall be considered as those items that are necessary for a safe environment but present less of an immediate hazard to the safety of students. Urgent and required items shall reference a specific rule in the code authorized by this Section that is currently being violated or will be violated within the next 12 months if the violation is not remedied. The school board of each district so surveyed and receiving a report of needed recommendations to be made to maintain standards of safety and health of the pupils enrolled shall effectuate the correction of urgent items as soon as achievable to ensure the safety of the students, but in no case more than one year after the date of the State Superintendent of Education's approval of the recommendation. Required items shall be corrected in a timely manner, but in no case more than 5 years from the date of the State Superintendent of Education's approval of the recommendation. Once each year the school board shall submit a report of progress on completion of any recommendations to effectuate compliance with the code. For each year that the school board does not effectuate any or all approved recommendations, it shall petition the Regional Superintendent and the State Superintendent of Education detailing what work was completed in the previous year and a work plan for completion of the remaining work. If in the judgement of the Regional Superintendent and the State Superintendent of Education substantial progress has been made and just cause has been shown by the school board, the petition for a one year extension of time may be approved.

As soon as practicable, but not later than 2 years after the effective date of this amendatory Act of 1992, the State Board of Education shall combine the document known as "Efficient and Adequate Standards for the Construction of Schools" with the document known as "Building Specifications for Health and Safety in Public Schools" together with any modifications or additions that may be deemed necessary. The combined document shall be known as the "Health/Life Safety Code for Public Schools" and shall be the governing code for all facilities that house public school students or are otherwise used for public school purposes, whether such facilities are permanent or temporary and whether they are owned, leased, rented, or otherwise used by the district. Facilities owned by a school district but that are not used to house public school students or are not used for public school purposes shall be governed by separate provisions within the code authorized by this Section.

The 10 year survey cycle specified in this Section shall continue to apply based upon the standards contained in the "Health/Life Safety Code for Public Schools", which shall specify building standards for buildings that are constructed prior to the effective date of this amendatory Act of 1992 and for buildings that are constructed after that date.

The "Health/Life Safety Code for Public Schools" shall be the governing code for public schools; however, the provisions of this Section shall not preclude inspection of school premises and buildings pursuant to Section 9 of the Fire Investigation Act, provided that the provisions of the "Health/Life Safety Code for Public Schools", or such predecessor document authorized by this Section as may be applicable are used, and provided that those inspections are coordinated with the Regional Superintendent having jurisdiction over the public school facility. Nothing in this Section shall be construed to prohibit the State Fire Marshal or a qualified ~~a local~~ fire official to whom the State Fire Marshal has delegated his or her

~~authority department, fire protection district, or the Office of the State Fire Marshal from conducting a fire safety check in a public school. The Regional Superintendent shall address any violations that are not corrected in a timely manner pursuant to subsection (b) of Section 3-14.21 of this Code. Upon being notified by a fire official that corrective action must be taken to resolve a violation, the school board shall take corrective action within one year. However, violations that present imminent danger must be addressed immediately.~~

Any agency having jurisdiction beyond the scope of the applicable document authorized by this Section may issue a lawful order to a school board to effectuate recommendations, and the school board receiving the order shall certify to the Regional Superintendent and the State Superintendent of Education when it has complied with the order.

The State Board of Education is authorized to adopt any rules that are necessary relating to the administration and enforcement of the provisions of this Section. The code authorized by this Section shall apply only to those school districts having a population of less than 500,000 inhabitants.

In this Section, a "qualified fire official" means an individual that meets the requirements of rules adopted by the State Fire Marshal in cooperation with the State Board of Education to administer this Section. These rules shall be based on recommendations made by the task force established under Section 2-3.137 of this Code.

(Source: P.A. 92-593, eff. 1-1-03.); and

on page 2, immediately below line 17, by inserting the following:

"(13) A person appointed by the State Fire Marshal from his or her office.

(14) A person appointed by an organization representing fire chiefs.

(15) The Director of Public Health or his or her designee.

(16) A person appointed by an organization representing structural engineers.

(17) A person appointed by an organization representing professional engineers."; and

on page 2, line 19, by replacing "June 30, 2005" with "January 1, 2006"; and

on page 4, immediately below line 4, by inserting the following:

"(105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)

Sec. 3-14.21. Inspection of schools.

(a) The regional superintendent shall inspect and survey all public schools under his or her supervision and notify the board of education, or the trustees of schools in a district with trustees, in writing before July 30, whether or not the several schools in their district have been kept as required by law, using forms provided by the State Board of Education which are based on the Health/Life Safety Code for Public Schools adopted under Section 2-3.12. The regional superintendent shall report his or her findings to the State Board of Education on forms provided by the State Board of Education.

(b) If the regional superintendent determines that a school board has failed in a timely manner to correct urgent items identified in a previous life-safety report completed under Section 2-3.12 or as otherwise previously ordered by the regional superintendent, the regional superintendent shall order the school board to adopt and submit to the regional superintendent a plan for the immediate correction of the building violations. This plan shall be adopted following a public hearing that is conducted by the school board on the violations and the plan and that is preceded by at least 7 days' prior notice of the hearing published in a newspaper of general circulation within the school district. If the regional superintendent determines in the next annual inspection that the plan has not been completed and that the violations have not been corrected, the regional superintendent shall submit a report to the State Board of Education with a recommendation that the State Board withhold from payments of general State aid due to the district an amount necessary to correct the outstanding violations. The State Board, upon notice to the school board and to the regional superintendent, shall consider the report at a meeting of the State Board, and may order that a sufficient amount of general State aid be withheld from payments due to the district to correct the violations. This amount shall be paid to the regional superintendent who shall contract on behalf of the school board for the correction of the outstanding violations.

(c) The Office of the State Fire Marshal or a qualified fire official, as defined in Section 2-3.12 of this Code, to whom the State Fire Marshal has delegated his or her authority shall conduct an annual fire safety inspection of each school building in this State. The State Fire Marshal or the fire official shall coordinate its inspections with the regional superintendent. The inspection shall be based on the fire safety code authorized in Section 2-3.12 of this Code. Any violations shall be reported in writing to the regional superintendent and school board and shall reference the specific code sections where a discrepancy has been identified within 15 days after the inspection has been conducted. The regional superintendent shall address those violations that are not corrected in a timely manner pursuant to subsection (b) of this Section.

The inspection must be at no cost to the school district.
(Source: P.A. 90-464, eff. 8-17-97.)".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 397.

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 406.

Having been read by title a second time on May 10, 2005 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 450.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 451, 465, 469 and 485.

SENATE BILL 519. Having been printed, was taken up and read by title a second time.
Representative Delgado offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend Senate Bill 519 on page 1, line 5, by changing "Section 9A-15" to "Sections 9A-15 and 12-4.7e"; and
on page 6, after line 11, by inserting the following:

"(305 ILCS 5/12-4.7e new)

Sec. 12-4.7e. Task force on applications and access to income supports and medical assistance.

(a) The General Assembly has created a number of programs that provide benefits and services to low-income people and families designed to encourage, support, and sustain their efforts to improve their economic status through employment. The General Assembly finds that, because of disparate federal requirements, complex program rules, agency staffing challenges, and other administrative infrastructure issues, many eligible people may not access these programs in a timely way.

(b) Therefore, the Departments of Human Services and Healthcare and Family Services shall jointly convene, or otherwise identify members of existing advisory bodies to jointly convene, a task force no later than October 1, 2005, to advise the departments in conducting a thorough review and analysis of policies and procedures concerning applications and determinations of eligibility for cash assistance, food stamps, and medical assistance provided under this Code and the Children's Health Insurance Program Act. The task force shall meet quarterly.

(c) At a minimum, the review and analysis shall encompass the following:

(1) Barriers encountered by applicants.

(2) Requirements for face-to-face interviews.

(3) Where applications may be made.

(4) Where open cases are maintained.

(5) Methodologies for counting income.

(6) Requirements for documenting or otherwise verifying eligibility criteria.

(7) Establishing the earliest possible date of application.

(8) Coordinating redeterminations of eligibility including the frequency of redeterminations.

(9) Acceptable methods for submitting information and required documentation whether in person, or by phone, facsimile, or electronic transmission.

(d) Based on the review and analysis, the departments and the task force shall jointly develop recommendations for appropriate changes in law, rules, policy, or process that will simplify, make uniform, or otherwise ease the processes by which potentially eligible persons may apply for and be found eligible for benefits. The recommendations shall include proposed timelines and priorities for implementation. In

making the recommendations, the departments and the task force shall take into account and balance the following factors:

- (1) The need to comply with federal law and regulations to maximize federal financial participation.
- (2) The need to minimize administrative tasks for applicants, recipients, employees, medical providers, and authorized agents of the departments while maintaining program integrity.
- (3) The costs and potential savings associated with proposed changes.
- (4) The preservation of existing benefit levels for the substantial majority of recipients.
- (5) The appropriateness and feasibility of obtaining waivers of federal law and regulations to maximize the goals of simplification and uniformity without loss of federal financial participation.
- (e) The departments shall work in good faith to implement the recommendations to the extent they are appropriate and feasible given available resources and time.
- (f) The departments shall jointly prepare a written report of the work, recommendations, and any administrative changes developed under this Section. The task force shall have the opportunity to review and comment on a draft of the report. The report shall be submitted to the Governor and the General Assembly on or before January 1, 2007."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was held on the order of Second Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 556, 568 and 763.

SENATE BILL 768. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 768 by replacing everything after the enacting clause with the following:

"Section 5. The Interagency Coordinating Council Act is amended by changing Section 5 as follows:

(20 ILCS 3970/5) (from Ch. 127, par. 3835)

Sec. 5. Annual Report. On or before March 1 of each year, the Council shall make a written report to the Governor and the General Assembly on its activities for the preceding fiscal year. The report shall also include its recommendations for administrative or legislative policies and programs which will enhance the delivery of transition services. In the 2007 report, the Council shall include recommendations for expanding the recruitment of students and school personnel into programs that provide the coursework for Learning Behavioral Specialist II-Transition Specialist certification.

(Source: P.A. 86-1218; 87-909.)".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 833.

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 966.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1210 and 1219.

SENATE BILL 1230. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1230 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Section 32-5.2-5 as follows:

(720 ILCS 5/32-5.2-5 new)

Sec. 32-5.2-5. False law enforcement badges.

(a) A person who knowingly produces, sells, or distributes a law enforcement badge without the express written consent of the law enforcement agency represented on the badge, or in case of a reorganized or defunct law enforcement agency, its successor law enforcement agency, is guilty of a Class A misdemeanor. A second or subsequent violation of this Section is a Class 3 felony.

(b) It is a defense to a prosecution under this Section that the law enforcement badge is used or is intended to be used exclusively:

(1) as a memento, or in a collection or exhibit;

(2) for decorative purposes;

(3) for a dramatic presentation, such as a theatrical, film, or television production."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 1234. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 1234 on page 18, by inserting immediately below line 34 the following:

"Section 10. The Sex Offender and Child Murderer Community Notification Law is amended by changing Section 120 and by adding Section 121 as follows:

(730 ILCS 152/120)

Sec. 120. Community notification of sex offenders.

(a) The sheriff of the county, except Cook County, shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county where the sex offender is required to register, resides, is employed, or is attending an institution of higher education; and

(2) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the county where the sex offender is required to register or is employed; and

(3) Child care facilities located in the county where the sex offender is required to register or is employed.

(a-2) The sheriff of Cook County shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located within the region of Cook County, as those public school districts and nonpublic schools are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed; and

(2) Child care facilities located within the region of Cook County, as those child care facilities are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed; and

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education.

(a-3) The Chicago Police Department shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the police district where the sex offender is required to register or is employed if the offender is required to register or is employed in the City of Chicago; and

(2) Child care facilities located in the police district where the sex offender is required to register or is employed if the offender is required to register or is employed in the City of Chicago; and

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago.

(a-4) The Department of State Police shall provide a list of sex offenders required to register to the Illinois Department of Children and Family Services.

(b) The Department of State Police and any law enforcement agency may disclose, in the Department's or agency's discretion, the following information to any person likely to encounter a sex offender, or sexual predator:

(1) The offender's name, address, and date of birth.

(2) The offense for which the offender was convicted.

(3) Adjudication as a sexually dangerous person.

(4) The offender's photograph or other such information that will help identify the sex offender.

(5) Offender employment information, to protect public safety.

(c) The name, address, date of birth, and offense or adjudication for sex offenders required to register under Section 3 of the Sex Offender Registration Act shall be open to inspection by the public as provided in this Section. Every municipal police department shall make available at its headquarters the information on all sex offenders who are required to register in the municipality under the Sex Offender Registration Act. The sheriff shall also make available at his or her headquarters the information on all sex offenders who are required to register under that Act and who live in unincorporated areas of the county. Sex offender information must be made available for public inspection to any person, no later than 72 hours or 3 business days from the date of the request. The request must be made in person, in writing, or by telephone. Availability must include giving the inquirer access to a facility where the information may be copied. A department or sheriff may charge a fee, but the fee may not exceed the actual costs of copying the information. An inquirer must be allowed to copy this information in his or her own handwriting. A department or sheriff must allow access to the information during normal public working hours. The sheriff or a municipal police department may publish the photographs of sex offenders where any victim was 13 years of age or younger and who are required to register in the municipality or county under the Sex Offender Registration Act in a newspaper or magazine of general circulation in the municipality or county or may disseminate the photographs of those sex offenders on the Internet or on television. The law enforcement agency may make available the information on all sex offenders residing within any county.

(d) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, place the information specified in subsection (b) on the Internet or in other media.

~~(e) (Blank) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, only provide the information specified in subsection (b), with respect to an adjudicated juvenile delinquent, to any person when that person's safety may be compromised for some reason related to the juvenile sex offender.~~

(Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99; 91-224, eff. 7-1-00; 91-357, eff. 7-29-99; 91-394, eff. 1-1-00; 92-16, 6-28-01; 92-828, eff. 8-22-02.)

(730 ILCS 152/121 new)

Sec. 121. Notification regarding juvenile offenders.

(a) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, only provide the information specified in subsection (b) of Section 120 of this Act, with respect to an adjudicated juvenile delinquent, to any person when that person's safety may be compromised for some reason related to the juvenile sex offender.

(b) The local law enforcement agency having jurisdiction to register the juvenile sex offender shall ascertain from the juvenile sex offender whether the juvenile sex offender is enrolled in school; and if so, shall provide a copy of the sex offender registration form only to the principal or chief administrative officer of the school and any guidance counselor designated by him or her. The registration form shall be kept separately from any and all school records maintained on behalf of the juvenile sex offender."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1294, 1509, 1626, 1651 and 1660.

SENATE BILL 1699. Having been recalled on May 5, 2005, and held on the order of Second Reading, the same was again taken up.

Representative McKeon offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 1699 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-425 as follows:

(20 ILCS 605/605-425 new)

Sec. 605-425. Illinois Steel Development Working Group.

(a) The Illinois Steel Development Working Group is established. The Working Group shall promote the increased research, marketing, and use of American steel. The Working Group shall be composed of the following members: the Director or Secretary, or his or her designee, of the Department of Commerce and Economic Opportunity, the Capital Development Board, the Illinois Finance Authority, the Illinois Department of Transportation, and the Illinois Toll Highway Authority and 4 members of the General Assembly (one each appointed by the President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives, and the House Minority Leader).

The Working Group may consult with various groups including, but not limited to, State universities, labor organizations, representatives of the Illinois steel industry, representatives of the construction industry, and trade and business organizations.

The Director of Commerce and Economic Opportunity, or his or her designee, shall serve as chairperson.

The Working Group shall meet at least annually or at the call of the chairperson.

Members shall be reimbursed for actual and necessary expenses incurred while performing their duties as members of the Working Group from funds appropriated to the Department of Commerce and Economic Opportunity for that purpose.

(b) The Working Group may provide advice and make recommendations to the Department of Commerce and Economic Opportunity on the following:

(1) The promotion and coordination of available research, marketing, and promotional information on the production, preparation, distribution, and uses of American steel.

(2) The cooperation to the fullest extent possible with State and federal agencies and departments, independent organizations, and other interested groups, public and private, for the purposes of promoting American steel resources.

(3) Reasonable ways, before initiating any research, to avoid duplication of effort and expense through the coordination of the research efforts of various agencies, departments, universities, or organizations.

(4) The publication, from time to time, of the results of the research and policy recommendations developed by the Working Group.

(5) The identification of all current and anticipated impediments to the use of American steel and the Illinois steel industry.

(6) The identification of alternative plans or actions that would maintain or increase the use of American steel and the Illinois steel industry.

(7) The development of strategies and proposing of policies to promote responsible uses of American steel processed, used, or transported by the Illinois steel industry. "

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILLS ON SECOND READING

HOUSE BILL 3167. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Saviano offered the following amendments and moved their adoption.

AMENDMENT NO. 1. Amend House Bill 3167 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Explosives Act is amended by changing Section 2001 as follows:

(225 ILCS 210/2001) (from Ch. 96 1/2, par. 1-2001)

Sec. 2001. No person shall possess, use, purchase or transfer explosive materials unless licensed by the Department except as otherwise provided by this Act and the Pyrotechnic Distributor and Operator Licensing Act.

(Source: P.A. 93-263, eff. 7-22-03.)

Section 10. The Pyrotechnic Operator Licensing Act is amended by changing Sections 1, 5, 10, 30, 35, 50, 65, 75, and 90 and adding Section 57 as follows:

(225 ILCS 227/1)

Sec. 1. Short title. This Act may be cited as the Pyrotechnic Distributor and Operator Licensing Act.

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/5)

Sec. 5. Definitions. In this Act:

"1.3G fireworks" means large fireworks that are used for professional outdoor displays and classified as fireworks UN0333, UN0334, or UN0335 by the United States Department of Transportation under 49 C.F.R. 172.101.

"BATFE" means the federal Bureau of Alcohol, Tobacco and Firearms Enforcement.

"Consumer fireworks" means small fireworks that must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Products Safety Commission, as set forth in 16 C.F.R. Parts 1500 and 1507, and classified as fireworks UN0336 or UN0337 by the United States Department of Transportation under 49 C.F.R. 172.101. "Consumer fireworks" does not include a substance or article exempted under the Fireworks Use Act.

"Display fireworks" means ~~any substance or article defined as a Division 1.3G or special effects fireworks~~ 1.4 explosive by the United States Department of Transportation under 49 CFR 173.50, except a substance or article exempted under the Fireworks Use Act.

"Facility" means an area being used for the conducting of a pyrotechnic display business, but does not include residential premises except for the portion of any residential premises that is actually used in the conduct of a pyrotechnic display business.

"Fireworks" has the meaning given to that term in the Fireworks Use Act.

"Flame effect" means the detonation, ignition, or deflagration of flammable gases, liquids, or special materials to produce a thermal, physical, visual, or audible effect before the public, invitees, or licensees, regardless of whether admission is charged in accordance with NFPA 160.

"Lead pyrotechnic operator" means the individual with overall responsibility for the safety, setup, discharge, and supervision of a pyrotechnic display.

"Office" means Office of the State Fire Marshal.

"Person" means an individual, firm, corporation, association, partnership, company, consortium, joint venture, commercial entity, state, municipality, or political subdivision of a state or any agency, department, or instrumentality of the United States and any officer, agent, or employee of these entities.

"Pyrotechnic display" or "display" means the detonation, ignition, or deflagration of display fireworks or flame effects to produce a visual or audible effect of an exhibitional nature before the public, invitees, or licensees, regardless of whether admission is charged.

"Pyrotechnic distributor" means any person, company, association, group of persons, or corporation who distributes display fireworks for sale in the State of Illinois or provides them as part of a pyrotechnic

display service in the State of Illinois or provides only pyrotechnic services.

"Special effects fireworks" means pyrotechnic devices used for special effects by professionals in the performing arts in conjunction with theatrical, musical, or other productions that are similar to consumer fireworks in chemical compositions and construction, but are not intended for consumer use and are not labeled as such or identified as "intended for indoor use". "Special effects fireworks" are classified as fireworks UN0431 or UN0432 by the United States Department of Transportation under 49 C.F.R. 172.101.

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/10)

Sec. 10. License; enforcement. No person may act as a pyrotechnic distributor or lead pyrotechnic operator, or advertise or use any title implying that the person is a pyrotechnic distributor or lead pyrotechnic operator, unless licensed by the Office under this Act. An out-of-state person hired for or engaged in a pyrotechnic display must have a pyrotechnic distributor license issued by the Office. No pyrotechnic display shall be conducted without a person licensed under this Act as a lead pyrotechnic operator supervising the display. The State Fire Marshal, in the name of the People, through the Attorney General, the State's Attorney of any county, any resident of the State, or any legal entity within the State may apply for injunctive relief in any court to enjoin any person who has not been issued a license or whose license has been suspended, revoked, or not renewed, from practicing a licensed activity. Upon filing a verified petition in court, the court, if satisfied by affidavit, or otherwise, that the person is or has been practicing in violation of this Act, may enter a temporary restraining order or preliminary injunction, without bond, enjoining the defendant from further unlicensed activity. A copy of the verified complaint shall be served upon the defendant and the proceedings are to be conducted as in other civil cases. The court may enter a judgment permanently enjoining a defendant from further unlicensed activity if it is established that the defendant has been or is practicing in violation of this Act. In case of violation of any injunctive order or judgment entered under this Section, the court may summarily try and punish the offender for contempt of court. Injunctive proceedings are in addition to all penalties and other remedies in this Act.

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/30)

Sec. 30. Rules. The State Fire Marshal shall adopt all rules necessary to carry out its responsibilities under this Act including rules requiring the training, examination, and licensing of pyrotechnic distributors and lead pyrotechnic operators ~~engaging in or responsible for the handling and use of Division 1.3G (Class B) and 1.4 (Class C) explosives. The test shall incorporate the rules of the State Fire Marshal, which shall be based upon nationally recognized standards such as those of the National Fire Protection Association (NFPA) 1123 guidelines for outdoor displays, and NFPA 1126 for proximate audience indoor displays, and NFPA 160 for flame effect displays. The State Fire Marshal shall conduct the training and examination of pyrotechnic operators and pyrotechnic distributors or may delegate the responsibility to train and examine pyrotechnic distributors and operators to the Department of Natural Resources. The Fire Marshal shall adopt rules as required for the licensing of a lead pyrotechnic operator involved in an outdoor or indoor pyrotechnic display.~~

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/35)

Sec. 35. Licensure requirements and fees.

(a) Each application for a license to practice under this Act shall be in writing and signed by the applicant on forms provided by the Office. ~~The Office shall have the testing procedures for licensing as a lead pyrotechnic operator developed by October 1, 2004.~~

(b) After ~~January 1, 2006~~ ~~April 1, 2005~~, all pyrotechnic displays, both indoor and outdoor, must comply with the requirements set forth in this Act.

(c) After ~~January 1, 2006~~ ~~April 1, 2005~~, no person individual may engage in pyrotechnic distribution without first applying for and obtaining a license from the Office. Applicants for a license must submit to the Office the following:

- (1) A current BATFE license for distribution of display fireworks.
- (2) Proof of \$1,000,000 in product liability insurance.
- (3) Proof of \$1,000,000 in general liability insurance.
- (4) Proof of Illinois Worker's Compensation Insurance.
- (5) A license fee set by the Office.
- (6) Proof of a current United States Department of Transportation (DOT) Identification Number.

(7) Proof of a current USDOT Hazardous Materials Registration Number.

(8) Proof of having the requisite knowledge, either through training, examination, or continuing education, as established by Office rule.

(c-5) After January 1, 2006, no individual may act as a lead operator in a pyrotechnic display without first applying for and obtaining a

lead pyrotechnic operator's license from the Office. The Office shall establish separate licenses for lead pyrotechnic operators for indoor and outdoor pyrotechnic displays. Applicants for a license must:

(1) Pay the fees set by the Office.

(2) Have the requisite training or continuing education as established in the Office's rules.

(3) ~~(Blank) Pass the examination presented by the Office.~~

(d) A person is qualified to receive a license under this Act if the person meets all of the following minimum requirements:

(1) Is at least 21 years of age.

(2) Has not willfully violated any provisions of this Act.

(3) Has not made any material misstatement or knowingly withheld information in connection with any original or renewal application.

(4) Has not been declared incompetent by any competent court by reasons of mental or physical defect or disease unless a court has since declared the person competent.

(5) Does not have an addiction to or dependency on alcohol or drugs that is likely to endanger the public at a pyrotechnic display.

(6) Has not been convicted in any jurisdiction of any felony within the prior 5 years.

(7) Is not a fugitive from justice.

(8) Has, or has applied for, a BATFE explosives license or a Letter of Clearance from the BATFE.

(e) A person is qualified to assist a lead operator if the person meets all of the following minimum requirements:

(1) Is at least 18 years of age.

(2) Has not willfully violated any provision of this Act.

(3) Has not been declared incompetent by any competent court by reasons of mental or physical defect or disease unless a court has since declared the person competent.

(4) Does not have an addiction to or dependency on alcohol or drugs that is likely to endanger the public at a pyrotechnic display.

(5) Has not been convicted in any jurisdiction of any felony within the prior 5 years.

(6) Is not a fugitive from justice.

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/50)

Sec. 50. Issuance of license; renewal; fees nonrefundable.

(a) The Office, upon the applicant's satisfactory completion of the requirements imposed under this Act and upon receipt of the requisite fees, shall issue the appropriate license showing the name, address, and photograph of the licensee and the dates of issuance and expiration. The license shall include the name of the pyrotechnic distributor employing the lead pyrotechnic operator. A lead pyrotechnic operator is required to have a separate license for each pyrotechnic distributor who employs the lead pyrotechnic operator.

(b) Each licensee may apply for renewal of his or her license upon payment of the applicable fees. The expiration date and renewal period for each license issued under this Act shall be set by rule. Failure to renew within 60 days of the expiration date results in lapse of the license. A lapsed license may not be reinstated until a written application is filed, the renewal fee is paid, and the reinstatement fee established by the Office is paid. Renewal and reinstatement fees shall be waived for persons who did not renew while on active duty in the military and who file for renewal or restoration within one year after discharge from the service. A lapsed license may not be reinstated after 5 years have elapsed except upon passing an examination to determine fitness to have the license restored and by paying the required fees.

(c) All fees paid under this Act are nonrefundable.

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/57 new)

Sec. 57. Training; additional lead pyrotechnic operators. No pyrotechnic distributor shall allow any person in the pyrotechnic distributor's employ to act as a lead pyrotechnic operator until the person has obtained a lead pyrotechnic operator's license from the Office. Nothing in this Section shall prevent an

assistant from acting as a lead pyrotechnic operator under the direct supervision of a licensed lead pyrotechnic operator for training purposes.

(225 ILCS 227/65)

Sec. 65. Grounds for discipline. Licensees subject to this Act shall conduct their practice in accordance with this Act and the rules promulgated under this Act. A licensee is subject to disciplinary sanctions enumerated in this Act if the State Fire Marshal finds that the licensee is guilty of any of the following:

- (1) Fraud or material deception in obtaining or renewing a license.
- (2) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public in the course of professional services or activities.
- (3) Conviction of any crime that has a substantial relationship to his or her practice or an essential element of which is misstatement, fraud, dishonesty, or conviction in this or another state of any crime that is a felony under the laws of Illinois or conviction of a felony in a federal court, unless the licensee demonstrates that he or she has been sufficiently rehabilitated to warrant the public trust.
- (4) Performing any service in a grossly negligent manner or permitting any lead pyrotechnic operator or assistant licensed employee to perform a service in a grossly negligent manner, regardless of whether actual damage or damage to the public is established.
- (5) Addiction to or dependency on alcohol or drugs or use of alcohol or drugs that is likely to endanger the public at a pyrotechnic display.
- (6) Willfully receiving direct or indirect compensation for any professional service not actually rendered.
- (7) Having disciplinary action taken against his or her license in another state.
- (8) Making differential treatment against any person to his or her detriment because of race, color, creed, sex, religion, or national origin.
- (9) Engaging in unprofessional conduct.
- (10) Engaging in false or misleading advertising.
- (11) Contracting or assisting an unlicensed person to perform services for which a license is required under this Act.
- (12) Permitting the use of his or her license to enable an unlicensed person or agency to operate as a licensee.
- (13) Performing and charging for a service without having the authorization to do so from the member of the public being served.
- (14) Failure to comply with any provision of this Act or the rules promulgated under this Act.
- (15) Conducting business regulated by this Act without a currently valid license in those circumstances where a license is required.

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/75)

Sec. 75. Formal charges; hearing.

(a) The Office may file formal charges against a licensee. The formal charges, at a minimum, shall inform the licensee of the specific facts that are the basis of the charge to enable the licensee to defend himself or herself.

(b) Each licensee whose conduct is the subject of a formal charge that seeks to impose disciplinary action against the licensee shall be served notice of the formal charge at least 30 days before the date of the hearing. The hearing shall be presided over by the Office or a hearing officer authorized by the Office in compliance with the Illinois Administrative Procedure Act. Service shall be considered to have been given if the notice was personally received by the licensee or if the notice was mailed certified, return requested, to the licensee at the licensee's last known address as listed with the Office.

(c) The notice of a formal charge shall consist, at a minimum, of the following information:

- (1) The time and date of the hearing.
- (2) A statement that the licensee may appear personally at the hearing and may be represented by counsel.
- (3) A statement that the licensee has the right to produce witnesses and evidence in his or her behalf and the right to cross-examine witnesses and evidence produced against him or her.
- (4) A statement that the hearing can result in disciplinary action being taken against the his or her license.
- (5) A statement that rules for the conduct of these hearings exist and that it may be

in the licensee's ~~his or her~~ best interest to obtain a copy.

(6) A statement that the hearing officer authorized by the Office shall preside at the hearing and, following the conclusion of the hearing, make findings of fact, conclusions of law, and recommendations, separately stated, to the Office as to what disciplinary action, if any, should be imposed on the licensee.

(7) A statement that the Office may continue the hearing.

(d) The Office or the hearing officer authorized by the Office shall hear evidence produced in support of the formal charges and contrary evidence produced by the licensee, if any. If the hearing is conducted by a hearing officer, at the conclusion of the hearing, the hearing officer shall make findings of fact, conclusions of law, and recommendations, separately stated, and submit them to the Office and to all parties to the proceeding. Submission to the licensee shall be considered as having been made if done in a similar fashion as service of the notice of formal charges. Within 20 days after the service, any party to the proceeding may present to the Office a motion, in writing, for a rehearing. The written motion shall specify the particular grounds for the rehearing.

(e) The Office, following the time allowed for filing a motion for rehearing, shall review the hearing officer's findings of fact, conclusions of law, recommendations, and any motions filed subsequent to the hearing. After review of the information the Office may hear oral arguments and thereafter issue an order. The report of findings of fact, conclusions of law, and recommendations of the hearing officer shall be the basis for the Office's order. If the Office finds that substantial justice was not done, it may issue an order in contravention of the hearing officer's findings.

(f) All proceedings under this Section are matters of public record and a record of the proceedings shall be preserved.

(Source: P.A. 93-263, eff. 7-22-03.)

(225 ILCS 227/90)

Sec. 90. Penalties. Any natural person who violates any of the following provisions is guilty of a Class A misdemeanor for the first offense and a corporation or other entity that violates any of the following provision commits a business offense punishable by a fine not to exceed \$5,000; a second or subsequent offense in violation of any Section of this Act, including this Section, is a Class 4 felony if committed by a natural person, or a business offense punishable by a fine of up to \$10,000 if committed by a corporation or other business entity:

(1) Practicing or attempting to practice as a pyrotechnic distributor or lead pyrotechnic operator without a

license;

(2) Obtaining or attempting to obtain a license, practice or business, or any other thing of value by fraudulent representation;

(3) Permitting, directing, or authorizing any person in one's employ or under one's direction or supervision to work or serve as a licensee if that individual does not possess an appropriate valid license.

Whenever any person is punished as a repeat offender under this Section, the Office may proceed to obtain a permanent injunction against the person under Section 10. If any person in making any oath or affidavit required by this Act swears falsely, the person is guilty of perjury and upon conviction may be punished accordingly.

(Source: P.A. 93-263, eff. 7-22-03.)

Section 99. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 2. Amend House Bill 3167, AS AMENDED, in Section 10, Sec. 5, the sentence beginning "1.3G fireworks" means, by deleting "large"; and in Section 10, Sec. 5, the sentence beginning "Consumer fireworks" means, by deleting "small".

The motion prevailed and the amendments were adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3031. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendments numbered 1 and 2 remained in the Committee on Rules.

Representative Bellock offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend Amend House Bill 3031 by replacing everything after the enacting clause with the following:

"Section 5. The Children's Mental Health Act of 2003 is amended by adding Section 20 as follows:

(405 ILCS 49/20 new)

Sec. 20. Screening services. Any screening services provided under the Children's Mental Health Plan must be voluntary and conducted with parental consent and in accordance with the Mental Health and Developmental Disabilities Code.

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3687. Having been recalled on April 5, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Smith offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend House Bill 3687, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Technical Rescue Team Response Reimbursement Act.

Section 5. Intent. The General Assembly finds that the cost to fire departments and fire protection districts for training, equipping, and using technical rescue teams is high and beyond a basic level of service.

Section 10. Definitions. In this Act:

"Emergency action" means any action taken at or near the scene of an emergency incident to prevent or minimize harm to human health, to property, or to the environment.

"Emergency response agency" means a fire department or volunteer fire protection organization that provides firefighting services, emergency rescue services, or emergency medical services.

"Person" means an individual, a corporation, a partnership, an unincorporated association, or any unit of federal, State, or local government.

"Responsible party" means any person who is responsible for causing the need for technical rescue team services from an emergency response agency.

"Technical rescue team" means a career or volunteer mobile support team that has been authorized by a unit of local government to respond to building collapse, high angle rescue, and other specialized rescue emergencies and that is primarily designated for emergency response to technical rescue events.

Section 15. Reimbursement to agencies.

It shall be the duty of the responsible party to reimburse, within 90 days after the receipt of a bill for the Tactical Rescue emergency incident, the emergency response agencies responding to a Tactical Rescue incident, and any private contractor responding to a Tactical Rescue incident at the request of an emergency response agency, the costs incurred in the course of providing emergency action. All responsible parties shall be jointly and severally liable for the costs incurred in using technical response teams to provide emergency action.

Section 20. Violation.

(a) Reimbursement directly to an emergency response agency does not constitute an admission of responsibility relative to this Act or to any other State or federal laws, rules, or regulations.

(b) If no party to the incident provides reimbursement to the emergency response agency, the Attorney

General may, at the request of the State Fire Marshal, institute a civil action to recover costs."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 258. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Flowers offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 258 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by changing Section 5 as follows:

(20 ILCS 505/5) (from Ch. 23, par. 5005)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years.

The term also includes persons under age 19 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987, as amended, prior to the age of 18 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent or neglected children;

(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible or appropriate;

(F) assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of this Section so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

- (i) who are in a foster home, or
- (ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or
- (iii) who are female children who are pregnant, pregnant and parenting or parenting, or
- (iv) who are siblings,

in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) Nothing in this Section shall be construed to authorize the expenditure of public funds for the purpose of performing abortions.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, family reunification, and adoption, including but not limited to:

- (1) adoption;
- (2) foster care;
- (3) family counseling;
- (4) protective services;
- (5) (blank);
- (6) homemaker service;
- (7) return of runaway children;
- (8) (blank);
- (9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and
- (10) interstate services.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in alcohol and drug abuse screening techniques approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred to an alcohol and drug abuse treatment program for professional evaluation.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a ward and that no licensed private facility has an adequate and appropriate program or none agrees to accept the ward, the Department shall create an appropriate individualized, program-oriented plan for such ward. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the

following services:

- (1) case management;
- (2) homemakers;
- (3) counseling;
- (4) parent education;
- (5) day care; and
- (6) emergency assistance and advocacy.

In addition, the following services may be made available to assess and meet the needs of children and families:

- (1) comprehensive family-based services;
- (2) assessments;
- (3) respite care; and
- (4) in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt physically or mentally handicapped, older and other hard-to-place children who (i) immediately prior to their adoption were legal wards of the Department or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25 or 5-740 of the Juvenile Court Act of 1987 for children who were wards of the Department for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) Before July 1, 2000, the Department may provide, and beginning July 1, 2000, the Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency.

The Department shall notify the child and his family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and his family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child

abuse or neglect. Acceptance of such services shall be voluntary.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. A minor charged with a criminal offense under the Criminal Code of 1961 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except a minor less than 13 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987.

(l-1) The legislature recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practically possible. To achieve this goal, the legislature directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

- (1) the likelihood of prompt reunification;
 - (2) the past history of the family;
 - (3) the barriers to reunification being addressed by the family;
 - (4) the level of cooperation of the family;
 - (5) the foster parents' willingness to work with the family to reunite;
 - (6) the willingness and ability of the foster family to provide an adoptive home or long-term placement;
 - (7) the age of the child;
 - (8) placement of siblings.
- (m) The Department may assume temporary custody of any child if:
- (1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or
 - (2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in his or her residence without a parent, guardian, custodian or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child

would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian or custodian of a child in the temporary custody of the Department who would have custody of the child if he were not in the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10 day period, the child shall be surrendered to the custody of the requesting parent, guardian or custodian not later than the expiration of the 10 day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a ward who was placed under the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, garnishment or otherwise.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Children who are wards of the Department and are placed by private child welfare agencies, and foster families with whom those children are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall insure that any private child welfare agency, which accepts wards of the Department for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner.

(p) There is hereby created the Department of Children and Family Services Emergency Assistance Fund from which the Department may provide special financial assistance to families which are in economic crisis when such assistance is not available through other public or private sources and the assistance is deemed necessary to prevent dissolution of the family unit or to reunite families which have been separated due to child abuse and neglect. The Department shall establish administrative rules specifying the criteria

for determining eligibility for and the amount and nature of assistance to be provided. The Department may also enter into written agreements with private and public social service agencies to provide emergency financial services to families referred by the Department. Special financial assistance payments shall be available to a family no more than once during each fiscal year and the total payments to a family may not exceed \$500 during a fiscal year.

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation, or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department. If the person who gives, donates, or bequeaths money or other property that is received by the Department for the benefit of children provides in writing that the money or other property is for a specific purpose, the Department shall use the money or other property only for that purpose.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, ~~the~~ The Department shall:

(1) establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's "Guardianship Administrator" or his or her designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of \$13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of \$13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or his or her guardian, or to the issuing agency.

On and after October 1, 2005, subject to appropriation, all youths emancipated from the Department are eligible to receive a payment from the Department not to exceed \$1,500 for the purpose of promoting successful transition outcomes by supporting initial housing and living expenses for the recipient. Prior to October 1, 2005, the Department shall establish by rule (i) eligibility criteria for the receipt of funds under this paragraph and (ii) a process for disseminating the payments.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place or handicapped child and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and Family Services for damages sustained by the foster parents as a result of the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

- (1) an order entered by an Illinois court specifically directs the Department to perform such services; and
- (2) the court has ordered one or both of the parties to the proceeding to reimburse the

Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) Whenever the Department places a child in a licensed foster home, group home, child care institution, or in a relative home, the Department shall provide to the caretaker:

- (1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;
- (2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and
- (3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the child.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family home may continue to receive foster care payments only until the Department determines that they may be licensed as a foster family home or that their application for licensure is denied or until September 30, 1995, whichever occurs first.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Department of State Police Law (20 ILCS 2605/2605-355) if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Department of State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Department of State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Department of State Police relating to the access and dissemination of this information.

(w) Within 120 days of August 20, 1995 (the effective date of Public Act 89-392), the Department shall prepare and submit to the Governor and the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic distribution of these facilities in Illinois; and a proposed timetable for development of such facilities.

(Source: P.A. 91-239, eff. 1-1-00; 91-357, eff. 7-29-99; 91-812, eff. 6-13-00; 92-154, eff. 1-1-02.)

Section 99. Effective date. This Act takes effect January 1, 2006."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

RECALL

By unanimous consent, on motion of Representative Stephens, SENATE BILL 1354 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

SENATE BILL ON SECOND READING

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 1666.

HOUSE BILLS ON SECOND READING

HOUSE BILL 2002. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Elementary & Secondary Education.

Floor Amendments numbered 2 and 3 remained in the Committee on Rules.

Representative Dugan offered the following amendment and moved its adoption.

AMENDMENT NO. 4. Amend House Bill 2002 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 21-23 as follows:

(105 ILCS 5/21-23) (from Ch. 122, par. 21-23)

Sec. 21-23. Suspension or revocation of certificate.

(a) Any certificate issued pursuant to this Article, including but not limited to any administrative certificate or endorsement, may be suspended for a period not to exceed one calendar year by the regional superintendent or for a period not to exceed 5 calendar years by the State Superintendent of Education upon evidence of immorality, a condition of health detrimental to the welfare of pupils, incompetency, unprofessional conduct (which shall include the failure to disclose relevant information on an employment application or during the hiring process, including without limitation any previous arrest or conviction for a sex offense, as defined in Section 21-23a of this Code, or any other criminal offense involving an element that is sexual in nature and how that matter was resolved), the neglect of any professional duty, willful failure to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act, failure to establish satisfactory repayment on an educational loan guaranteed by the Illinois Student Assistance Commission, or other just cause. Unprofessional conduct shall include refusal to attend or participate in, institutes, teachers' meetings, professional readings, or to meet other reasonable requirements of the regional superintendent or State Superintendent of Education. Unprofessional conduct also includes conduct that violates the standards, ethics, or rules applicable to the security, administration, monitoring, or scoring of, or the reporting of scores from, any assessment test or the Prairie State Achievement Examination administered under Section 2-3.64 or that is known or intended to produce or report manipulated or artificial, rather than actual, assessment or achievement results or gains from the administration of those tests or examinations. It shall also include neglect or unnecessary delay in making of statistical and other reports required by school officers. The regional superintendent or State Superintendent of Education shall upon receipt of evidence of immorality, a condition of health detrimental to the welfare of pupils, incompetency, unprofessional conduct, the neglect of any professional duty or other just cause serve written notice to the individual and afford the individual opportunity for a hearing prior to suspension. Prior to the hearing, however, the individual may be suspended from his or her duties if it is deemed necessary for the safety of students. If a hearing is requested within 10 days of notice of opportunity for hearing it shall act as a stay of proceedings not to exceed 30 days, unless the individual

requests a delay. In such an instance, the stay of proceedings must be continued for another 30 days. No certificate shall be suspended until the teacher has an opportunity for a hearing at the educational service region. When a certificate is suspended, the right of appeal shall lie to the State Teacher Certification Board. When an appeal is taken within 10 days after notice of suspension it shall act as a stay of proceedings not to exceed 120 days. If a certificate is suspended for a period greater than one year, the State Superintendent of Education shall review the suspension prior to the expiration of that period to determine whether the cause for the suspension has been remedied or continues to exist. Upon determining that the cause for suspension has not abated, the State Superintendent of Education may order that the suspension be continued for an appropriate period. Nothing in this Section prohibits the continuance of such a suspension for an indefinite period if the State Superintendent determines that the cause for the suspension remains unabated. Any certificate may be revoked for the same reasons as for suspension by the State Superintendent of Education. No certificate shall be revoked until the teacher has an opportunity for a hearing before the State Teacher Certification Board, which hearing must be held within 120 days from the date the appeal is taken, unless the State Teacher Certification Board requests a delay. In such an instance, the stay of the revocation proceedings must be continued until the completion of the proceedings.

The State Board may refuse to issue or may suspend the certificate of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(b) Any certificate issued pursuant to this Article may be suspended for an appropriate length of time as determined by either the regional superintendent or State Superintendent of Education upon evidence that the holder of the certificate has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act, approved June 26, 1975, as amended, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

The regional superintendent or State Superintendent of Education shall, upon receipt of evidence that the certificate holder has been named a perpetrator in any indicated report, serve written notice to the individual and afford the individual opportunity for a hearing prior to suspension. If a hearing is requested within 10 days of notice of opportunity for hearing, it shall act as a stay of proceedings not to exceed 30 days, unless the individual requests a delay. In such an instance, the stay of proceedings must be continued for another 30 days. No certificate shall be suspended until the teacher has an opportunity for a hearing at the educational service region. When a certificate is suspended, the right of appeal shall lie to the State Teacher Certification Board. When an appeal is taken within 10 days after notice of suspension it shall act as a stay of proceedings not to exceed 120 days. The State Superintendent may revoke any certificate upon proof at hearing by clear and convincing evidence that the certificate holder has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act. No certificate shall be revoked until the teacher has an opportunity for a hearing before the State Teacher Certification Board, which hearing must be held within 120 days from the date the appeal is taken, unless the teacher or the hearing officer appointed by the State Teacher Certification Board requests a delay. In such an instance, the stay of the revocation proceedings must be continued until the completion of the proceedings.

(c) The State Superintendent of Education or a person designated by him shall have the power to administer oaths to witnesses at any hearing conducted before the State Teacher Certification Board pursuant to this Section. The State Superintendent of Education or a person designated by him is authorized to subpoena and bring before the State Teacher Certification Board any person in this State and to take testimony either orally or by deposition or by exhibit, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in the civil cases in circuit courts of this State.

Any circuit court, upon the application of the State Superintendent of Education, may, by order duly entered, require the attendance of witnesses and the production of relevant books and papers at any hearing the State Superintendent of Education is authorized to conduct pursuant to this Section, and the court may compel obedience to its orders by proceedings for contempt.

(d) As used in this Section, "teacher" means any school district employee regularly required to be certified, as provided in this Article, in order to teach or supervise in the public schools. (Source: P.A. 93-679, eff. 6-30-04.)"

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 476. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on State Government Administration, adopted and printed.

AMENDMENT NO. 1. Amend House Bill 476 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing Section 53-10 as follows:

(30 ILCS 500/53-10)

Sec. 53-10. Concessions and leases of State property.

(a) Except for property under the jurisdiction of a public institution of higher education, concessions, including the assignment, license, sale, or transfer of interests in or rights to discoveries, inventions, patents, or copyrightable works, may be entered into by the State agency with jurisdiction over the property, whether tangible or intangible. Licenses of naming rights and sponsorship rights, as those terms are defined and used in Section 7.6 of the State Property Control Act, are not concessions and are not subject to this Code except to the extent provided in that Section 7.6.

(b) Except for property under the jurisdiction of a public institution of higher education, all concessions shall be reduced to writing and shall be awarded under the provisions of Article 20, except that the contract shall be awarded to the highest and best bidder or offeror.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

Section 10. The State Property Control Act is amended by adding Section 7.6 as follows:

(30 ILCS 605/7.6 new)

Sec. 7.6. Naming and sponsorship rights; licenses.

(a) Administrator's authority. Notwithstanding any other provision of this Act or any other law to the contrary, the administrator is authorized to license naming rights and sponsorship rights only as provided in this Section. Naming rights and sponsorship rights regarding any property or other asset of the State, whether real, personal, tangible, or intangible, may not be sold, conveyed, leased, licensed, or otherwise granted by the administrator or by any other officer, employee, or agent of the State on or after the effective date of this amendatory Act of the 94th General Assembly unless authorized in this Section.

(b) Excepted properties. Naming rights and sponsorship rights may not be licensed with respect to any of the following:

(1) the State Capitol Building in Springfield, Illinois;

(2) the Old State Capitol Building in Springfield, Illinois;

(3) the Vandalia State House in Vandalia, Illinois;

(4) the Executive Mansion in Springfield, Illinois;

(5) the Executive Mansion, also known as the Hayes House, in Du Quoin, Illinois;

(6) the Abraham Lincoln Home in Springfield, Illinois, if it becomes State real property not under the jurisdiction of the federal government;

(7) the Lincoln Tomb in Springfield, Illinois;

(8) the Abraham Lincoln Presidential Library and Museum in Springfield, Illinois;

(9) all present and future Abraham Lincoln sites not otherwise listed;

(10) all Illinois homes of all past, present, or future United States Presidents who have resided, currently reside, or in the future will reside in the State of Illinois;

(11) the burial sites of all past, present, or future United States Presidents;

(12) any State property or other asset under the jurisdiction and control of an executive branch constitutional officer other than the Governor, unless that other executive branch constitutional officer consents in writing;

(13) any State property or other asset under the jurisdiction and control of the legislative branch, unless the Joint Committee on Legislative Support Services consents in writing;

(14) any State property or other asset under the jurisdiction and control of the judicial branch, unless the Supreme Court consents in writing;

(15) any State property or other asset under the jurisdiction and control of a public institution of higher education, as defined in Section 1 of the Board of Higher Education Act, unless the applicable institution

consents in writing; that consent may designate a particular fund or account of the institution into which fees under the license shall be deposited;

(16) any State property or other asset identified or named for a specific individual by Joint Resolution of the General Assembly or by statute as of the effective date of this Section or later; and

(17) any other State property or asset that on the effective date of this Section or later is designated a National Historic Landmark, listed as a State Historic Site under Section 6 of the Historic Preservation Agency Act, or listed on either the Illinois Register of Historic Places or the National Register of Historic Places, unless the State property is a university sports stadium and the federal or State agency that made the designation has the authority to consent and does consent in writing.

(c) Terms and conditions of licenses. A license of naming rights or sponsorship rights may have a term of no more than 5 years, is non-transferable, and is non-renewable (at the end of a term of a license, however, the licensee is eligible to compete for a new license as provided in subsection (d)). The licensee shall have the authority to place signs, placards, imprints, or other identifying information only on the properties or other assets specified in the license and only during the term of the license. The signs, placards, imprints, or other identifying information may contain nothing other than the name of the licensee, the licensee's logo, or both, except that with the written approval of the administrator they may contain other material. The license may, but need not, require the State to refer to a property or other asset by the name of the licensee during the term of the license, all within reasonable limitations and other than in statutes, rules, and existing supplies of forms and other documents. If a licensee materially breaches any term of a license and the Executive Ethics Commission recommends that the license be revoked, then the administrator may declare the license revoked. At least 25% of the total amount of license fees must be paid prior to the commencement of the term of the license. Any balance shall be paid on a periodic schedule agreed to by the administrator. All fees are non-refundable and shall be deposited into the General Revenue Fund, except that if a fund or account of a public institution of higher education has been designated in a consent given by that institution, fees under the applicable license shall be deposited into the designated fund or account.

(d) Competitive negotiation. A license of naming rights or sponsorship rights may be granted only on the basis of the highest and best competitively negotiated proposals that yield the most advantageous benefits and considerations to the State. The administrator shall give notice that the administrator will accept proposals for the licensing of naming rights or sponsorship rights with respect to specified properties or other assets by publication in the Illinois Procurement Bulletin not less than 7 business days before the day upon which proposals will be accepted. The administrator shall give such other notice as the administrator deems appropriate. Proposals shall not be sealed and shall be part of the public record. The administrator shall conduct open, competitive negotiations with those who have submitted proposals in order to obtain the highest and best competitively negotiated proposals that yield the most advantageous benefits and considerations to the State. If a proposal satisfactory to the administrator is not negotiated, the administrator may give notice as provided in this subsection and accept additional proposals.

Subject to the provisions of this Section, the administrator shall have all power necessary to grant the license and enter into any agreements and execute any documents necessary to exercise the authority granted by this Section. The administrator shall have authority to order such surveys, abstracts of title, or commitments for title insurance as may, in the administrator's reasonable discretion, be deemed necessary to demonstrate good and marketable title to the naming rights or sponsorship rights.

(e) Qualification of proposers and licensees. An individual or entity that wishes to submit a proposal must be prequalified by the administrator. Neither the name, logo, products, services, nor business relationships of the proposer shall be such as to bring disrepute upon the State if associated with any State property or other asset. To prequalify, a proposer must satisfy the administrator that the proposer meets all of the ethics requirements applicable to contractors and bidders and to their officers, agents, and employees under Sections 50-5 (bribery), 50-10 (felons), 50-11 (debt delinquency), 50-13 (conflicts of interest), 50-25 (inducement), 50-30 (revolving door), 50-35 (disclosure), 50-40 (anticompetitive practices), 50-50 (insider information), 50-65 (suspension), and 50-70 (additional provisions) of the Illinois Procurement Code. Each license granted under this Section is deemed to contain a provision that it is a material breach of the license if the licensee becomes ineligible to be prequalified or otherwise becomes disqualified under this subsection.

(f) Approval by Executive Ethics Commission. Upon determining highest and best proposals, the administrator must deliver a written notice setting forth all of the pertinent facts relating to proposals, proposers, and proposed licenses to the Executive Ethics Commission. A license shall not be granted unless approved in advance by the Commission. If the administrator proposes to amend an existing license, the

administrator must deliver notice of the proposed amendment to the Commission, and the amendment shall not be made unless approved in advance by the Commission. The Commission's review shall be based solely on ethical and ethics related standards imposed by the law and on avoiding the appearance of impropriety. The Commission shall act with reasonable promptness in approving or disapproving proposals. The Commission's approval shall not be unreasonably withheld.

(g) Rules. The administrator and the Executive Ethics Commission may each, separately, adopt rules to implement their several functions under this Section. The rules may not, however, waive or provide for the waiver of any of the requirements of this Section.

(h) Donations. If one or more natural persons, as such, make a gift, bequest, or devise with a fair market value in excess of \$5,000,000 of land or that is used to acquire land, construct a new building, or both, then, at the request of the State officer or agency with jurisdiction and control of the land, building, or both and with the approval of the Executive Ethics Commission as provided in subsection (f), the administrator may grant a license under this Section that is (i) for a term in excess of 5 years, renewable, or both, (ii) with minimal or no consideration, and (iii) without competitive negotiation under subsection (d).

(i) Blind vendors. The provisions of this Section are subject to, and do not supersede, any of the provisions of the Blind Persons Operating Vending Facilities Act, any other State or federal law granting preference to blind persons, or any rules or regulations adopted pursuant to any of those laws.

(j) Definitions. In this Section:

"Naming rights" means the right to associate the name or identifying mark of any person or entity with the name or identity of any State property or other asset.

"Sponsorship rights" means the right to associate the name or identifying mark of any person or entity with any State program or event on the grounds of, in, or with respect to any State property or other asset.

(k) This Section shall be construed to ensure that all naming and sponsorship rights are strictly controlled under the terms of this Section.

(l) Severability. The provisions of this Section are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect September 1, 2005."

Representative Currie offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 476, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing Section 53-10 as follows:

(30 ILCS 500/53-10)

Sec. 53-10. Concessions and leases of State property.

(a) Except for property under the jurisdiction of a public institution of higher education, concessions, including the assignment, license, sale, or transfer of interests in or rights to discoveries, inventions, patents, or copyrightable works, may be entered into by the State agency with jurisdiction over the property, whether tangible or intangible. Licenses of naming rights and sponsorship rights, as those terms are defined and used in Section 7.6 of the State Property Control Act, are not concessions and are subject to that Section 7.6.

(b) Except for property under the jurisdiction of a public institution of higher education, all concessions shall be reduced to writing and shall be awarded under the provisions of Article 20, except that the contract shall be awarded to the highest and best bidder or offeror.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

Section 10. The State Property Control Act is amended by adding Section 7.6 as follows:

(30 ILCS 605/7.6 new)

Sec. 7.6. Naming and sponsorship rights; licenses.

(a) Administrator's authority. The administrator, as defined in this Section, is authorized to license naming rights and sponsorship rights only as provided in this Section. Naming rights and sponsorship rights regarding any property or other asset of the State to which this Section applies, whether real, personal, tangible, or intangible, may not be sold, conveyed, leased, licensed, or otherwise granted by the administrator or by any other officer, employee, or agent of the State except as provided in this Section. Naming and sponsorship rights are subject to all other applicable statutes that are not inconsistent with the provisions of this Section; to the extent of any conflict, however, this Section controls.

(b) Certain properties and other assets; no license. Naming rights and sponsorship rights may not be licensed with respect to (i) any of the following or (ii) any property or other asset associated with any of the

following:

- (1) the State Capitol Building in Springfield, Illinois;
- (2) the Old State Capitol Building in Springfield, Illinois;
- (3) the Vandalia State House in Vandalia, Illinois;
- (4) the Executive Mansion in Springfield, Illinois;
- (5) the Executive Mansion, also known as the Hayes House, in Du Quoin, Illinois;
- (6) the Abraham Lincoln Home in Springfield, Illinois, if it becomes State real property not under the jurisdiction of the federal government;
- (7) the Lincoln Tomb in Springfield, Illinois;
- (8) the Abraham Lincoln Presidential Library and Museum in Springfield, Illinois;
- (9) all present and future Abraham Lincoln sites not otherwise listed;
- (10) all Illinois homes of all past, present, or future United States Presidents who have resided, currently reside, or in the future will reside in the State of Illinois;
- (11) the burial sites of all past, present, or future United States Presidents;
- (12) the Illinois State Museum in Springfield, Illinois;
- (13) any State property or other asset identified or named for a specific individual by Joint Resolution of the General Assembly or by statute as of the effective date of this Section or later; and
- (14) any other State property or asset that on the effective date of this Section or later is designated a National Historic Landmark, listed as a State Historic Site under Section 6 of the Historic Preservation Agency Act, or listed on either the Illinois Register of Historic Places or the National Register of Historic Places, unless the State property is a university sports stadium and the federal or State agency that made the designation has the authority to consent and does consent in writing.

(c) Terms and conditions of licenses. A license of naming rights or sponsorship rights (i) may have a term of no more than 10 years and shall include a termination option in favor of the State after 5 years, (ii) is non-transferable, and (iii) is non-renewable (at the end of a term of a license, however, the licensee is eligible to compete for a new license as provided in subsection (d)). The licensee shall have the authority to place signs, placards, imprints, or other identifying information only on the properties or other assets specified in the license and only during the term of the license. The signs, placards, imprints, or other identifying information may contain nothing other than the name of the licensee, the licensee's logo, or both, except that with the written approval of the administrator they may contain other authorized material. The license may, but need not, require the State to refer to a property or other asset by the name of the licensee during the term of the license, all within reasonable limitations and other than in statutes, rules, and existing supplies of forms and other documents. Except with respect to property or other assets of a public institution of higher education, no naming or sponsorship right, however, may be characterized or treated as "official" or in a similar fashion. If a licensee materially breaches any term of a license and the Executive Ethics Commission recommends that the license be revoked, then the administrator may declare the license revoked. At least 25% of the total amount of license fees must be paid prior to the commencement of the term of the license. Any balance shall be paid on a periodic schedule agreed to by the administrator. All fees are non-refundable. Fees shall be deposited into the General Revenue Fund, except that, if a fund or account has been designated in a license granted by an administrator designated by the Attorney General, the Secretary of State, the Comptroller, the Treasurer, or a public institution of higher education, then fees under the applicable license shall be deposited into the designated fund or account.

(d) Competitive negotiation. A license of naming rights or sponsorship rights may be granted only on the basis of the highest and best competitively negotiated proposal that yields the most advantageous benefits and considerations to the State. The administrator shall give notice that the administrator will accept proposals for the licensing of naming rights or sponsorship rights with respect to any one or more specified properties or other assets by publication in the Illinois Procurement Bulletin not less than 7 business days before the day upon which proposals will be accepted. The administrator shall give such other notice as the administrator deems appropriate. Proposals shall not be sealed and shall be part of the public record. The administrator shall conduct open, competitive negotiations with those who have submitted proposals in order to obtain the highest and best competitively negotiated proposal that yields the most advantageous benefits and considerations to the State. The administrator may give notice of and negotiate multiple licenses for identical naming or sponsorship rights as part of a single notice, negotiation, and licensing process. If a proposal satisfactory to the administrator is not negotiated, the administrator may give notice as provided in this subsection and accept additional proposals.

Subject to the provisions of this Section, the administrator shall have all power necessary to grant the license and enter into any agreements and execute any documents necessary to exercise the authority

granted by this Section. The administrator shall have authority to order such surveys, abstracts of title, or commitments for title insurance as may, in the administrator's reasonable discretion, be deemed necessary to demonstrate good and marketable title to the naming rights or sponsorship rights.

(e) Personal gifts. If one or more natural persons, as such, make a gift, bequest, or devise to a State officer or entity to which this Section applies and that does not result in any pecuniary benefit (other than a tax benefit) to the person or persons, then, at the request of the administrator and with the approval of the Executive Ethics Commission in the same manner as provided in subsection (f), the administrator may grant naming rights, sponsorship rights, or both, so long as the rights are of no pecuniary benefit to the person or persons, subject only to the limitations in subsection (c) on identifying information and characterization as "official" or in a similar fashion. The sole purpose of the gift, bequest, or devise must be to assist the recipient in fulfilling the recipient's core mission or purpose.

(f) Approval by Executive Ethics Commission. Upon determining highest and best proposal, the administrator must, within 15 calendar days, deliver a written notice setting forth all of the pertinent facts relating to the proposal, proposer, and proposed license to the Executive Ethics Commission. A license shall not be granted unless approved in advance by the Commission. If the administrator proposes to amend an existing license, the administrator must deliver notice of the proposed amendment to the Commission within 15 calendar days, and the amendment shall not be made unless approved in advance by the Commission. The Commission's review shall be based solely on ethical and ethics related standards imposed by the law and on avoiding the appearance of impropriety. The Commission's approval shall not be unreasonably withheld.

Within 40 calendar days after its actual receipt from the administrator of notice of a proposed license or amendment to a license, the Commission shall either approve or disapprove the proposed license or amendment and shall notify the administrator and other parties to the proposed license or amendment of its decision. The Commission may, in its discretion and before the running of the time period in which it must make a decision, grant itself one extension of up to an additional 40 calendar days in which to make a decision by notifying the administrator and other parties to the proposed license or amendment. If the Commission requests additional or supplemental information from the administrator or a party to the proposed license or amendment, the running of the time limit in which the Commission must make its decision is suspended, and the 40-day period begins anew when the information is delivered to the Commission. If the Commission fails to render a decision within the applicable time period, the proposed license or amendment is deemed approved.

(g) Rules. Each administrator and the Executive Ethics Commission may, separately, adopt rules to implement their several functions under this Section. The rules may not, however, waive or provide for the waiver of any of the requirements of this Section.

(h) Blind vendors. The provisions of this Section are subject to, and do not supersede, any of the provisions of the Blind Persons Operating Vending Facilities Act, any other State or federal law granting preference to blind persons, or any rules or regulations adopted pursuant to any of those laws.

(i) Small consideration. If the value of the consideration for an individual naming or sponsorship right does not exceed \$10,000, the administrator may grant the right, subject only to the limitations in subsection (c) on identifying information and characterization as "official" or in a similar fashion, but the administrator must deliver a written notice giving the details to the Executive Ethics Commission at least one full business day before the administrator agrees to grant the right. Naming or sponsorship rights shall not be artificially divided in an attempt to qualify under this subsection.

(j) Applicability. This Section does not apply to naming rights and sponsorship rights with respect to property or other assets under the jurisdiction and control of the legislative branch or the judicial branch of the State. This Section applies to all naming rights and sponsorship rights granted with respect to the State Fair, as defined in Section 2 of the State Fair Act, on or after January 1, 2006. This Section applies to all other naming rights and sponsorship rights granted on or after the effective date of this amendatory Act of the 94th General Assembly.

(k) Retention of records. The administrator must maintain all records relating to (i) each license of naming rights or sponsorship rights for at least 7 years after the expiration of the term of the license and (ii) each proposal for naming rights or sponsorship rights that does not result in a license being granted to the proposer for at least 7 years after the proposal was submitted.

(l) Definitions. In this Section:

Notwithstanding Section 1.03 of this Act, in this Section "administrator" means (i) an officer or employee designated by the Attorney General with respect to the property and other assets under the jurisdiction and control of the Attorney General; (ii) an officer or employee designated by the Secretary of

State with respect to the property and other assets under the jurisdiction and control of the Secretary of State; (iii) an officer or employee designated by the Comptroller with respect to the property and other assets under the jurisdiction and control of the Comptroller; (iv) an officer or employee designated by the Treasurer with respect to the property and other assets under the jurisdiction and control of the Treasurer; (v) an officer or employee designated by the board of trustees of a public institution of higher education, as defined in Section 1 of the Board of Higher Education Act, with respect to the property and other assets under the jurisdiction and control of that public institution of higher education; and (vi) the Director of Central Management Services with respect to all other property and other assets to which this Section applies.

"Naming rights" means the right to associate the name or identifying mark of any person or entity with the name or identity of any State property or other asset.

"Sponsorship rights" means the right to associate the name or identifying mark of any person or entity with any State program or event on the grounds of, in, or with respect to any State property or other asset.

(m) This Section shall be construed to ensure that all naming and sponsorship rights are strictly controlled under the terms of this Section.

(n) Severability. The provisions of this Section are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 1919. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Verschoore offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1919 by replacing everything after the enacting clause with the following:

"Section 5. The Riverboat Gambling Act is amended by changing Section 7 as follows:

(230 ILCS 10/7) (from Ch. 120, par. 2407)

Sec. 7. Owners Licenses.

(a) The Board shall issue owners licenses to persons, firms or corporations which apply for such licenses upon payment to the Board of the non-refundable license fee set by the Board, upon payment of a \$25,000 license fee for the first year of operation and a \$5,000 license fee for each succeeding year and upon a determination by the Board that the applicant is eligible for an owners license pursuant to this Act and the rules of the Board. A person, firm or corporation is ineligible to receive an owners license if:

- (1) the person has been convicted of a felony under the laws of this State, any other state, or the United States;
- (2) the person has been convicted of any violation of Article 28 of the Criminal Code of 1961, or substantially similar laws of any other jurisdiction;
- (3) the person has submitted an application for a license under this Act which contains false information;
- (4) the person is a member of the Board;
- (5) a person defined in (1), (2), (3) or (4) is an officer, director or managerial employee of the firm or corporation;
- (6) the firm or corporation employs a person defined in (1), (2), (3) or (4) who participates in the management or operation of gambling operations authorized under this Act;
- (7) (blank); or
- (8) a license of the person, firm or corporation issued under this Act, or a license to own or operate gambling facilities in any other jurisdiction, has been revoked.

(b) In determining whether to grant an owners license to an applicant, the Board shall consider:

- (1) the character, reputation, experience and financial integrity of the applicants and of any other or separate person that either:
 - (A) controls, directly or indirectly, such applicant, or

- (B) is controlled, directly or indirectly, by such applicant or by a person which controls, directly or indirectly, such applicant;
 - (2) the facilities or proposed facilities for the conduct of riverboat gambling;
 - (3) the highest prospective total revenue to be derived by the State from the conduct of riverboat gambling;
 - (4) the extent to which the ownership of the applicant reflects the diversity of the State by including minority persons and females and the good faith affirmative action plan of each applicant to recruit, train and upgrade minority persons and females in all employment classifications;
 - (5) the financial ability of the applicant to purchase and maintain adequate liability and casualty insurance;
 - (6) whether the applicant has adequate capitalization to provide and maintain, for the duration of a license, a riverboat;
 - (7) the extent to which the applicant exceeds or meets other standards for the issuance of an owners license which the Board may adopt by rule; and
 - (8) The amount of the applicant's license bid.
- (c) Each owners license shall specify the place where riverboats shall operate and dock.
- (d) Each applicant shall submit with his application, on forms provided by the Board, 2 sets of his fingerprints.

(e) The Board may issue up to 10 licenses authorizing the holders of such licenses to own riverboats. In the application for an owners license, the applicant shall state the dock at which the riverboat is based and the water on which the riverboat will be located. The Board shall issue 5 licenses to become effective not earlier than January 1, 1991. Three of such licenses shall authorize riverboat gambling on the Mississippi River, or, with approval by the municipality in which the riverboat ~~was is~~ docked on August 7, 2003 and with Board approval, be authorized to relocate to a new location the effective date of this amendatory Act of the 93rd Assembly, in a municipality that (1) borders on the Mississippi River or is within 5 miles of the city limits of a municipality that borders on the Mississippi River and (2), on August 7, 2003, had the effective date of this amendatory Act of the 93rd General Assembly, has a riverboat conducting riverboat gambling operations pursuant to a license issued under this Act; one of which shall authorize riverboat gambling from a home dock in the city of East St. Louis. One other license shall authorize riverboat gambling on the Illinois River south of Marshall County. The Board shall issue one additional license to become effective not earlier than March 1, 1992, which shall authorize riverboat gambling on the Des Plaines River in Will County. The Board may issue 4 additional licenses to become effective not earlier than March 1, 1992. In determining the water upon which riverboats will operate, the Board shall consider the economic benefit which riverboat gambling confers on the State, and shall seek to assure that all regions of the State share in the economic benefits of riverboat gambling.

In granting all licenses, the Board may give favorable consideration to economically depressed areas of the State, to applicants presenting plans which provide for significant economic development over a large geographic area, and to applicants who currently operate non-gambling riverboats in Illinois. The Board shall review all applications for owners licenses, and shall inform each applicant of the Board's decision. The Board may grant an owners license to an applicant that has not submitted the highest license bid, but if it does not select the highest bidder, the Board shall issue a written decision explaining why another applicant was selected and identifying the factors set forth in this Section that favored the winning bidder.

In addition to any other revocation powers granted to the Board under this Act, the Board may revoke the owners license of a licensee which fails to begin conducting gambling within 15 months of receipt of the Board's approval of the application if the Board determines that license revocation is in the best interests of the State.

(f) The first 10 owners licenses issued under this Act shall permit the holder to own up to 2 riverboats and equipment thereon for a period of 3 years after the effective date of the license. Holders of the first 10 owners licenses must pay the annual license fee for each of the 3 years during which they are authorized to own riverboats.

(g) Upon the termination, expiration, or revocation of each of the first 10 licenses, which shall be issued for a 3 year period, all licenses are renewable annually upon payment of the fee and a determination by the Board that the licensee continues to meet all of the requirements of this Act and the Board's rules. However, for licenses renewed on or after May 1, 1998, renewal shall be for a period of 4 years, unless the Board sets a shorter period.

(h) An owners license shall entitle the licensee to own up to 2 riverboats. A licensee shall limit the number of gambling participants to 1,200 for any such owners license. A licensee may operate both of its

riverboats concurrently, provided that the total number of gambling participants on both riverboats does not exceed 1,200. Riverboats licensed to operate on the Mississippi River and the Illinois River south of Marshall County shall have an authorized capacity of at least 500 persons. Any other riverboat licensed under this Act shall have an authorized capacity of at least 400 persons.

(i) A licensed owner is authorized to apply to the Board for and, if approved therefor, to receive all licenses from the Board necessary for the operation of a riverboat, including a liquor license, a license to prepare and serve food for human consumption, and other necessary licenses. All use, occupation and excise taxes which apply to the sale of food and beverages in this State and all taxes imposed on the sale or use of tangible personal property apply to such sales aboard the riverboat.

(j) The Board may issue or re-issue a license authorizing a riverboat to dock in a municipality or approve a relocation under Section 11.2 only if, prior to the issuance or re-issuance of the license or approval, the governing body of the municipality in which the riverboat will dock has by a majority vote approved the docking of riverboats in the municipality. The Board may issue or re-issue a license authorizing a riverboat to dock in areas of a county outside any municipality or approve a relocation under Section 11.2 only if, prior to the issuance or re-issuance of the license or approval, the governing body of the county has by a majority vote approved of the docking of riverboats within such areas.

(Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; revised 1-27-04.)

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1968.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were printed and laid upon the Members' desks. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Madigan, HOUSE BILL 1968 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 61, Yeas; 55, Nays; 0, Answering Present.

(ROLL CALL 38)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 2048. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Franks offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2048 by replacing everything after the enacting clause with the following:

"Section 5. The General Not For Profit Corporation Act of 1986 is amended by changing Section 108.21 as follows:

(805 ILCS 105/108.21) (from Ch. 32, par. 108.21)

Sec. 108.21. Meetings of the board of directors of a residential not-for-profit homeowners association or cooperative not-for-profit corporation containing 24 or more units shall be open to any member, except for

the portion of any meeting held (i) to discuss litigation when an action against or on behalf of the corporation has been filed and is pending in a court or administrative tribunal, or when the board of directors finds that such an action is probable or imminent, (ii) to consider information regarding appointment, employment or dismissal of an employee, or (iii) to discuss violations of rules and regulations of the corporation by a residential shareholder. Any member may record by tape, film or other means the proceedings at such meetings or portions thereof required to be open by this Section. The board may prescribe reasonable rules and regulations to govern the right to make such recordings. Notice of such meetings shall be mailed or delivered at least 48 hours prior thereto, unless a written waiver of such notice is signed by the person or persons entitled to such notice pursuant to the articles of incorporation, bylaws, other instrument before the meeting is convened. Copies of notices of meetings of the board of directors shall be posted in entranceways, elevators, or other conspicuous places in the residential cooperative at least 48 hours prior to the meeting of the board of directors. If there is no common entranceway for 7 or more apartments, the board of directors may designate one or more locations in the proximity of such units where the notices of meetings shall be posted. For purposes of this Section, "meeting of the board of directors" means any gathering of a quorum of the members of the board of directors of the residential cooperative held for the purpose of discussing business of the cooperative. The provisions of this Section shall apply to any residential cooperative containing 24 or more units situated in the State of Illinois regardless of where such cooperative may be incorporated.

(Source: P.A. 91-465, eff. 8-6-99; 92-638, eff. 1-1-03.)

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 2151. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Executive.

Representative Granberg offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 2151, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, line 3, after "01", by inserting "minutes".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 2275. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Gordon offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2275 by replacing everything after the enacting clause with the following:

"Section 5. The State Prompt Payment Act is amended by adding Section 10 as follows:

(30 ILCS 540/10 new)

Sec. 10. Website information.

(a) By January 1, 2006, the Department of Central Management Services shall create and provide a portal on its official website that allows vendors access to their own contract approval status and invoice processing status. Information accessible via the portal must be initially posted and subsequently updated within 48 hours after the information is initially generated or modified.

(b) The portal must provide at least the following information with respect to the approval of individual

contracts:

(1) Date of receipt.

(2) Date of approval for each step of the procurement process that requires the approval signature of a State employee.

(3) Date of final approval.

(c) The portal must provide at least the following information with respect to the processing of individual invoices:

(1) Date of receipt at any Department of Central Management Services office.

(2) Date of receipt at the Department's Central Accounting Office.

(3) Date the review of adequacy is commenced.

(4) Date the review of adequacy is completed, and the result.

(5) Date the legal review is commenced.

(6) Date the legal review is completed, and the result.

(7) Date a fund is selected.

(8) Date the voucher is sent to the State Comptroller.

(9) Assigned voucher number.

(10) Amount.

(d) The Department of Central Management Services shall adopt rules for the implementation of this Section.

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were printed and laid upon the Members' desks. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Mautino, HOUSE BILL 1716 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 39)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 434, 435, 437, 440, 441, 442, 444, 445, 446, 447, 449, 450, 451, 452, 453, 454 and 455 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

At the hour of 4:16 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, May 19, 2005, at 11:00 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
QUORUM ROLL CALL FOR ATTENDANCE

May 18, 2005

0 YEAS

0 NAYS

116 PRESENT

P Acevedo	P Delgado	P Lang	P Poe
P Bailey	P Dugan	P Leitch	P Pritchard
P Bassi	P Dunkin	P Lindner	P Reis
P Beaubien	P Dunn	P Lyons, Eileen	P Reitz
P Beiser	P Eddy	P Lyons, Joseph	P Rita
P Bellock	E Feigenholtz	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	P Franks	P McAuliffe	P Saviano
P Boland	P Fritchey	P McCarthy	P Schmitz
P Bost	P Froehlich	P McGuire	P Schock
P Bradley, John	P Giles	E McKeon	P Scully
P Bradley, Richard	P Gordon	P Mendoza	P Smith
P Brady	P Graham	P Meyer	P Sommer
P Brauer	P Granberg	P Miller	P Soto
P Brosnahan	P Hamos	P Millner	P Stephens
P Burke	P Hannig	P Mitchell, Bill	P Sullivan
P Chapa LaVia	P Hassert	P Mitchell, Jerry	P Tenhouse
P Chavez	P Hoffman	P Moffitt	P Tryon
P Churchill	P Holbrook	P Molaro	P Turner
P Collins	P Howard	P Mulligan	P Verschoore
P Colvin	P Hultgren	P Munson	P Wait
P Coulson	P Jakobsson	P Myers	P Washington
P Cross	P Jefferson	P Nekritz	P Watson
P Cultra	P Jenisch	P Osmond	P Winters
P Currie	P Jones	P Osterman	P Yarbrough
P D'Amico	P Joyce	P Parke	P Younge
P Daniels	P Kelly	P Patterson	P Mr. Speaker
P Davis, Monique	P Kosel	P Phelps	
P Davis, William	P Krause	P Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1221
VEH CD-NO RADAR JAMMERS
THIRD READING
PASSED

May 18, 2005

74 YEAS

34 NAYS

7 PRESENT

Y Acevedo	Y Delgado	Y Lang	N Poe
Y Bailey	Y Dugan	N Leitch	N Pritchard
Y Bassi	N Dunkin	Y Lindner	N Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	N Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	P Rita
Y Bellock	E Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	N Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
N Bost	Y Froehlich	Y McGuire	Y Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	N Smith
Y Brady	P Graham	Y Meyer	Y Sommer
N Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
Y Burke	N Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	N Mitchell, Jerry	N Tenhouse
Y Chavez	N Hoffman	Y Moffitt	Y Tryon
Y Churchill	N Holbrook	Y Molaro	P Turner
N Collins	P Howard	Y Mulligan	N Verschoore
P Colvin	Y Hultgren	Y Munson	N Wait
Y Coulson	Y Jakobsson	N Myers	Y Washington
Y Cross	N Jefferson	Y Nekritz	Y Watson
N Cultra	N Jenisch	Y Osmond	N Winters
E Currie	N Jones	Y Osterman	N Yarbrough
Y D'Amico	Y Joyce	Y Parke	N Younge
Y Daniels	P Kelly	N Patterson	Y Mr. Speaker
N Davis, Monique	Y Kosel	N Phelps	
P Davis, William	Y Krause	N Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1235
HWY CD-VACATED HIGHWAYS
THIRD READING
PASSED

May 18, 2005

114 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	A Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1461
DPH-CHRONIC KIDNEY DIS PROGRAM
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1491
CRIM CD-VETERANS BEN FRAUD
THIRD READING
PASSED

May 18, 2005

109 YEAS

4 NAYS

2 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	P May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	P Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	N Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	N Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	N Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
N Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1698
AUTISM SPEC DISORDER REPOR ACT
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1680
DHS-IDPH-TANF-NUTRITION
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1723
PROCURE DOMESTIC PRODUCTS
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1734
SCH CD-DRIVER EDUCATION FUND
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1751
WAGE ASSIGNMENT-MINIMUM WAGE
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1884
CNTY CD JUV DELINQUENCY PROGS
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1907
CD CIV PRO-RECORDS
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1931
EDUCATION-TECH
THIRD READING
PASSED

May 18, 2005

114 YEAS

1 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	N Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1932
ICCB REVOLVING FUND
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1967
DPT AGING-IHDA-AFFORD HOUSING
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1986
PUBLIC AID-IDPA DATA WAREHOUSE
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2032
EDUCATION-TECH
THIRD READING
PASSED

May 18, 2005

112 YEAS

1 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
N Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	A Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	A Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2043
STATE EMPLOYMENT HISPANIC PLAN
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2060
MILITARY PERSONNEL-RELIEF
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2066
EMPLOYMENT-TAX WITHHOLDING
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2091
CLINICAL TRIALS - REPORTING
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 834
LOCAL GOVERNMENT-TECH
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 767
SCH CD-REG SUP-LEGAL COUNSEL
THIRD READING
PASSED

May 18, 2005

113 YEAS

2 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	N Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
N Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 635
STATE GOVERNMENT-TECH
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 559
MNTL HLTH FACILITY-INVOL ADMIT
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 516
CD CIV PRO-JUDGES
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1752
CIV PRO-EXEMPTION-MINIMUM WAGE
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 477
CD-VICTIM TRAFFICKING
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 529
MARRIAGE ACT-LAWFUL CHILD
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 471
CRIM CD-THEFT GOVERNMENT PROP
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 463
GED TESTING-TRANSFER TO ICCB
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 52
FOIA-FINANCIAL INFORMATION
THIRD READING
PASSED

May 18, 2005

112 YEAS

3 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	N Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	N Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 445
SOC SEC NUM LIM USE ACT
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 554
REENTRY PROGRAM-FELONS
THIRD READING
PASSED

May 18, 2005

109 YEAS

6 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	N Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
N Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 849
DHS-INSPECTOR GENERAL
THIRD READING
PASSED

May 18, 2005

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1443
CLERKS OF COURTS-FEES
THIRD READING
PASSED

May 18, 2005

75 YEAS

37 NAYS

3 PRESENT

Y Acevedo	Y Delgado	P Lang	Y Poe
Y Bailey	N Dugan	Y Leitch	N Pritchard
N Bassi	Y Dunkin	Y Lindner	N Reis
Y Beaubien	N Dunn	Y Lyons, Eileen	Y Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	N Flider	Y Mautino	N Ryg
Y Biggins	Y Flowers	N May	Y Sacia
Y Black	N Franks	Y McAuliffe	Y Saviano
N Boland	N Fritchey	Y McCarthy	N Schmitz
Y Bost	Y Froehlich	Y McGuire	N Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	N Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	N Meyer	N Sommer
Y Brauer	P Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
P Burke	Y Hannig	N Mitchell, Bill	N Sullivan
N Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
N Chavez	Y Hoffman	Y Moffitt	Y Tryon
N Churchill	N Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	N Verschoore
Y Colvin	N Hultgren	N Munson	Y Wait
N Coulson	N Jakobsson	Y Myers	Y Washington
Y Cross	N Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	N Osmond	Y Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
N D'Amico	N Joyce	N Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	N Kosel	N Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1444
CLERKS OF COURTS-FEES
THIRD READING
PASSED

May 18, 2005

74 YEAS

39 NAYS

2 PRESENT

Y Acevedo	Y Delgado	P Lang	Y Poe
Y Bailey	N Dugan	Y Leitch	N Pritchard
N Bassi	Y Dunkin	Y Lindner	N Reis
Y Beaubien	N Dunn	Y Lyons, Eileen	Y Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	N Mathias	Y Rose
Y Berrios	N Flider	Y Mautino	N Ryg
Y Biggins	Y Flowers	N May	Y Sacia
Y Black	N Franks	Y McAuliffe	Y Saviano
N Boland	N Fritchey	Y McCarthy	N Schmitz
Y Bost	Y Froehlich	Y McGuire	N Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	N Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	N Meyer	N Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
P Burke	Y Hannig	N Mitchell, Bill	N Sullivan
N Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
N Chavez	Y Hoffman	Y Moffitt	Y Tryon
N Churchill	N Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	N Verschoore
Y Colvin	Y Hultgren	N Munson	Y Wait
N Coulson	N Jakobsson	Y Myers	Y Washington
Y Cross	N Jefferson	N Nekritz	Y Watson
Y Cultra	Y Jenisch	N Osmond	N Winters
E Currie	Y Jones	Y Osterman	Y Yarbrough
N D'Amico	N Joyce	N Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	N Kosel	N Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1968
ELECTIONS-TECH
THIRD READING
PASSED

May 18, 2005

61 YEAS

55 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	N Poe
Y Bailey	Y Dugan	N Leitch	N Pritchard
N Bassi	Y Dunkin	N Lindner	N Reis
N Beaubien	N Dunn	N Lyons, Eileen	Y Reitz
Y Beiser	N Eddy	Y Lyons, Joseph	Y Rita
N Bellock	E Feigenholtz	N Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
N Biggins	Y Flowers	Y May	N Sacia
N Black	N Franks	N McAuliffe	N Saviano
Y Boland	Y Fritchey	Y McCarthy	N Schmitz
N Bost	N Froehlich	Y McGuire	N Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
N Brady	Y Graham	N Meyer	N Sommer
N Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	N Millner	N Stephens
Y Burke	Y Hannig	N Mitchell, Bill	N Sullivan
Y Chapa LaVia	N Hassert	N Mitchell, Jerry	N Tenhouse
N Chavez	Y Hoffman	N Moffitt	N Tryon
N Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	N Mulligan	Y Verschoore
Y Colvin	N Hultgren	N Munson	N Wait
N Coulson	Y Jakobsson	N Myers	Y Washington
N Cross	Y Jefferson	Y Nekritz	N Watson
N Cultra	N Jenisch	N Osmond	N Winters
Y Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	N Parke	Y Younge
N Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	N Kosel	Y Phelps	
Y Davis, William	N Krause	N Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1716
VETERANS-TECH
THIRD READING
PASSED

May 18, 2005

116 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	Y Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
Y Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	Y Kosel	Y Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence